

AGENDA # _____

DATE _____

AGENDA REPORT

Prepared for the

CASCADE COUNTY COMMISSION

ITEM Approved checks issued since 12/18/2021

PRESENTED BY: Cascade County Clerk & Recorder/Auditor

The Board of County Commissioners has approved invoices and accounts payable checks #316342 through #316486 totaling \$ 453,133.00 and EFT # through # totaling \$ 0 for an A/P total of \$ 453,133.00 dated 12/20/2021 through 12/23/2021.

A listing of all paid checks is available in the Cascade County Commissioners Office.

AGENDA # _____

DATE _____

AGENDA REPORT

Prepared for the

CASCADE COUNTY COMMISSION

ITEM Approved checks issued since 12/25/2021

PRESENTED BY: Cascade County Clerk & Recorder/Auditor

The Board of County Commissioners has approved invoices and accounts payable checks # 316487 through #316586 totaling \$ 680,995.54 and EFT's #9102190 through 9102206 totaling \$ 381,857.16 for an A/P total of \$ 1,062852.70 dated 12/25/2021 thru 12/30/2021.

In addition, payroll checks #96835 through #96918 were issued totaling \$ 53,539.65 and EFT's 5259569 through 5260900 were made totaling \$ 1,544,927.95 for a payroll total of \$ 1,544,927.95 for the month of December 2021.

A listing of all paid warrants is available in the Cascade County Commissioners Office.

CASCADE COUNTY COMMISSION MEETING
December 14, 2021
Via Zoom and Conference room attendees
9:30 A.M.

Commission
Journal #61

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated below, in **red**, and will direct you to the precise location should you wish to review a specific agenda item audio segment. These are in draft form until officially approved on January 18, 2022.

Commission: Chairman Joe Briggs, Commissioner Jim Larson, and Commissioner Don Ryan.

Staff: Carey Ann Haight- Chief Deputy Attorney, Phoebe Marcinek-Deputy Attorney, Cory Reeves- Undersheriff, Chrissy Wood- Sheriffs Dept.,

Charity Yonker- Planning Director, Les Payne-Public Works Director, Mary Embelton-Finance, Bonnie Fogerty-Commission and Marie Johnson -Deputy Clerk & Recorder

Attendees Via Zoom: Nicole Girtten, Jenn Rowell, Trish Gardner-CCHD, Susan Shannon- Expo Park and Kim Thiel-Schaaf- Director for Aging Services.

Public: Rhonda Wiggers, and Lisa Semansky.

Call to Order: Chairman Briggs called the meeting to order. **00:01**

Reading of the Commissioners' calendar: Bonnie Fogerty read the calendar. **00:27**

Purchase orders and accounts payable checks: *See agenda for payment information.* Commissioner Larson made a **MOTION** to approve purchase orders and accounts payable warrants. **Motion carries 3-0 03:34**

Consent agenda: Routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for separate discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Ryan made a **MOTION** to (A) Approve minute entries November 10th, 16th, 17th, and November 23rd, 2021. (B) Approval of Routine Contracts as Follows: **03:41**

Board Appointments –

Aging Senior Advisory Council Appointments

Applicants	Category	Term Expiration
Nancy Bullis	Experienced Community Leader	April 30, 2025
Sandra Clark (Requesting Re-appointment)	Foster Grandparent	April 30, 2024
Julie Demarias (Requesting Re-appointment)	Caregiver/Guardian	April 30, 2024
Daniel J. McDonald (Requesting Re-appointment)	Community Member	April 30, 2024
Bob Myers (Requesting Re-appointment)	Community Leader	April 30, 2024

Tri-County Water District Board

Dennis Laubach Term Expiration of November 10, 2027

04:07

Resolution 21-68: Budget Appropriation within Aging Services for Federal ARPA funds for the Older American Act Programs. Total Amount: \$455,849. (Ref: Contract 21-174) **4:37**

Resolution 21-69: Budget Appropriation within in Fund #2918 increasing expenditures due to the 2021 Marijuana K9 Replacement program award. Total Amount: \$10,000. (Ref: Contract 21-165, R0420068) **04:59**

Resolution 21-70: Budget Appropriation within the Alcohol Rehabilitation Fund 2800 due to an unanticipated increase in the State FY2022 payments. Total Amount: \$34,725. **05:05**

Resolution 21-77: Accepting the Bequest of Wilbert Graf to Area VIII Agency on Aging for the Meals on Wheels program and authorizing the Commission Chair to complete all necessary paperwork to receive the bequest. **05:26**

Contract 21-181: The Hampton-Collins Memorial Foundation has given a donation to Cascade County Aging Services to be divided between Meals on Wheels and the Home Attendant Programs. Total Amount: \$20,000. **05:28**

Contract 21-182: Amendment # 2 to MT DPHHS Services Agreement 22-221-13008-0 Older Americans Act Programs. This contract is being reduced by a net of \$19,841. Effective: December 1, 2021 - June 30, 2022. (Ref: Contract 21-174) **06:10**

Resolution 21-75: Budget Appropriation within the Older Americans Act Program due funding errors made by the State during the FY2022 transition. Total Decrease: \$19,841. (Ref: Contract 21-182) **06:26**

CITY/COUNTY HEALTH DEPARTMENT

Contract 21-183: Memorandum of Understanding between MT DPHHS and Cascade County. The City-County Health Department will receive naloxone through the Montana Standing Order for Naloxone Opioid Antagonists for a pharmacist to initiate and dispense naloxone prescriptions as outlined in the standing order MCA 50-32-604 and 50-32-605. Effective: November 1, 2021 - September 29, 2022. (No Cost to the County) **08:56**

Contract 21-184: MT DPHHS 18-07-4-51-003-0 HIV Prevention & Immunization, Amendment #5. Purpose: HIV Prevention activities and Immunization Outreach. Effective Date: 1/1/ 2022 – 12/31 2022 Total Amount: \$204,868 (\$44,974 increase) **07:21**

Consent agenda was approved, and motion carried 3-0. 08:11

Agenda Item #1 Public Hearing

Motion to Approve or Disapprove:

Resolution 21-71: A resolution approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of John and Lisa Semansky's Existing Commercial Building located at 16 5th Street South described as Lot 8, Block 364, Great Falls Original Townsite, Cascade County, Montana. (Ref: City Resolution 10377)

Close the Commission Meeting:

Chairman Briggs closed the Regular Commission Meeting at 9:40 a.m.

Open the Public Hearing:

Chairman Briggs opened the Public Hearing at 9:41 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. **09:47** (See Exhibit A)

Staff Report:

Carey Ann Haight read the synopsis. **10:04**

Call for Proponents:

Chairman Briggs called for Proponents; Lisa Semansky spoke in favor of this tax benefit. **13:42**

Call for Opponents:

Chairman Briggs called for Opponents, three times with no response. **13:51**

Call for Informational Witnesses:

Chairman Briggs called for Informational Witnesses, three times with no response. 14:14

Close to Public Hearing:

Chairman Briggs closed the Public Hearing at 9:45 a.m.

Resume Regular Commission Meeting:

Chairman Briggs re-opened the Commission Meeting at 9:45 a.m.

Motion to Approve or Disapprove:

Commissioner Ryan made a MOTION to approve Resolution 21-71 approving a tax benefit for remodeling, reconstruction or expansion of John and Lisa Semansky's existing commercial building located at 16 5th Street South described as Lot 8, Block 364, Great Falls Original Townsite, Cascade County, Montana. **Motion carries 3-0 15:19**

Agenda Item #2 Public Hearing

Motion to approve/disapprove

Resolution 21-72: A resolution approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of STSA Partners LLC's Existing Commercial Building located at 420 Central Avenue and legally described as 400 Block Condominiums Great Falls Original Townsite Lot 6A Block 364, Unit 420, Sec. 12, T20N, R3E, PMM Cascade County, Montana. (Ref: City Resolution 10361)

Close the Commission Meeting:

Chairman Briggs closed the Regular Commission Meeting at 9:46 a.m.

Open the Public Hearing:

Chairman Briggs opened the Public Hearing at 9:46 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. 16:27 (See Exhibit B)

Staff Report:

Carey Ann Haight read the synopsis. 16:41

Call for Proponents:

Chairman Briggs called for Proponents, three times with no response. 20:53

Call for Opponents:

Chairman Briggs called for Opponents, three times with no response. 21:07

Call for Informational Witnesses:

Chairman Briggs called for Informational Witnesses, three times with no response. 21:36

Close to Public Hearing:

Chairman Briggs closed the Public Hearing at 9:52 a.m.

Resume Regular Commission Meeting:

Chairman Briggs re-opened the Commission Meeting at 9:52 a.m.

Motion to Approve or Disapprove:

Commissioner Larson made a Motion to approve Resolution 21-72 a resolution approving a tax benefit for remodeling, reconstruction, or expansion of STSA Partners, LLC. existing commercial building located at 420 Central Avenue, legally described as 400 Block Condominiums Lot 6A, Block 364, Unit 420, Section 12, Township 20 North, Range 3 East, Great Falls Original Townsite, P.M.M. Cascade County, Montana. **Motion carries 3-0 22:01**

Agenda Item #3 Public Hearing

Resolution 21-73: A resolution approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of Big Sky Select Properties, LLC's Existing Commercial Building located at 412 Central Avenue, legally described as Lot 4, Block 364, Great Falls Original Townsite, Cascade County, Montana. (Ref: City Resolution 10360)

Close the Commission Meeting:

Chairman Briggs closed the Regular Commission Meeting at 9:54 a.m.

Open the Public Hearing:

Chairman Briggs opened the Public Hearing at 9:54 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. 23:37 (See Exhibit C)

Staff Report:

Carey Ann Haight read the synopsis. 23:59- 26:24

Call for Written Testimony:

Chairman Briggs called for Written Testimony three times with no response. 26:32

Call for Proponents:

Chairman Briggs called for Proponents, three times with no response. 27:07

Call for Opponents:

Chairman Briggs called for Opponents, three times with no response. 27:21

Call for Informational Witnesses:

Chairman Briggs called for Informational Witnesses, three times with no response. 27:38

Close to Public Hearing:

Chairman Briggs closed the Public Hearing at 9:58 a.m.

Resume Regular Commission Meeting:

Chairman Briggs re-opened the Commission Meeting at 9:58 a.m.

Motion to Approve or Disapprove:

Commissioner Ryan made a Motion to approve Resolution 21-73 a resolution approving a tax benefit for remodeling, reconstruction, or expansion of Big Sky Select Properties, LLC. Existing commercial building located at 412 Central Avenue, legally described as Lot 4, Block 364, Great Falls Original Townsite, Cascade County, Montana. **Motion carries 3-0**
28:11

Agenda Item #4 Public Hearing

Resolution 21-74: A resolution approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of Big Sky Select Properties, LLC's existing Commercial Building located at Tract 2 of Certificate of Survey 3607, Section 11, T20N, R3E, PMM, Cascade County, Montana. (Ref: City Resolution 10342)

Close the Commission Meeting:

Chairman Briggs closed the Regular Commission Meeting at 10:00 a.m.

Open the Public Hearing:

Chairman Briggs opened the Public Hearing at 10:00 a.m.

Waived Reading of Public Notice:

The reading of the Public Notice was waived without objection. 29:29 (See Exhibit D)

Staff Report:

Carey Ann Haight read the synopsis. 29:42- 32:42

Discussion amongst Commission: 32:43-35:05**Call for Written Testimony:**

Chairman Briggs called for Written Testimony three times with no response. 35:09

Call for Proponents:

Chairman Briggs called for Proponents, three times with no response. 35:16

Call for Opponents:

Chairman Briggs called for Opponents, three times with no response. 35:28

Call for Informational Witnesses:

Rhonda Wiggers commented. 35:44

Chairman Briggs called for Informational Witnesses, three times with no response. 36:34

Close to Public Hearing:

Chairman Briggs closed the Public Hearing at 10:07 a.m.

Resume Regular Commission Meeting:

Chairman Briggs re-opened the Commission Meeting at 10:08 a.m.

Motion to Approve or Disapprove:

Commissioner Larson made a **Motion** to approve Resolution 21-74, A resolution approving a Tax Benefit for Remodeling, Reconstruction, or Expansion of Big Sky Select Properties, LLC's existing Commercial Building located at Tract 2 of Certificate of Survey 3607, Section 11, T20N, R3E, PMM, Cascade County, Montana. (Ref: City Resolution 10342)

Motion carries 3-0 37:13

Agenda Item #5

Great Falls Airport Authority Board Appointments

Applicants: Darren Brown, Mike DeWitt, Sean Hoven and Casey Lalonde (Requesting Re-appointment, Served 1 Term). There are two openings with a term ending December 31, 2024.

Commission comments on these appointments. **39:09-39:50**

Commissioner Ryan made a **Motion** to appoint Sean Hoven for a term ending December 31, 2024 and reappoint Casey Lalonde to serve another term. **39:50**

Agenda Item #6

Motion to approve/disapprove

Resolution 21-76: A resolution affirming the emergency enactment of Stage 1 Fire Restrictions in Cascade County on December 3, 2021.

Brad Call-Emergency Management Director was not present due to out of town training.

Chairman Briggs presented this resolution. **40:43-42:52**

Comments on this resolution from Commission. **42:52-45:21**

Commissioner Ryan made a **Motion** to approve Resolution 21-76 affirming the implementation of Stage 1 fire restrictions in Cascade County. **Motion carries 3-0 45:22**

Agenda Item #7

Motion to Approve or Disapprove

Resolution 21-78: A resolution waiving the county permit application fee for the Federal Flood Plain permits for the clean-up of the fire damage in the Gibson Flats area.

Brad Call-Emergency Management Director was not present due to out of town training.

Chairman Briggs presented this resolution. **45:39-47:34**

Comments on this resolution from Commission. **47:33-49:22**

Commissioner Larson made a **Motion** to approve Resolution 21-79 waiving the county permit application fee for the Federal Flood Plain permits for the clean-up of the fire damage in the Gibson Flats area. **50:24**

Public Comment on any public matter that is not on the meeting agenda, and that is within the Commissioners' jurisdiction. (MCA 2-3-103) None

Adjournment: Chairman Briggs adjourned this Commission Meeting at 10:21 a.m.

CASCADE COUNTY WORK SESSION MINUTES

VIA ZOOM ONLINE MEETING

December 22, 2021 – 2:00 P.M.

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadedcountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated below, in red, and will direct you to the precise location should you wish to review a specific agenda item audio segment. This written record is in draft form until officially approved on January 11, 2021.		COMMISSION MINUTES JOURNAL # 61
Board of Cascade County Commissioners: Chairman Briggs, Commissioner Jim Larson excused, and Commissioner Don Ryan.		
Staff Present: Charity Yonker- Planning Director, Carey Ann Haight, and Phoebe Marcinek - Deputy County Attorney, Scott VanDyken- CCSO, Trista Besich- CCHD, Michaela Lear, -Commission office, and Marie Johnson Deputy Clerk & Recorder		
Zoom Attendees: Chrissy Wood, Tanya Hunt – CCSO, Trista Beisch- CCHD		
Public Members Present: None		
Chairman Briggs opened the work session meeting at 2:00 pm		
Consent Agenda Items:	Department:	
Contract 21-185: Agreement by and between the Great Falls Pre Release (GFPR) Services Inc. and Cascade County's DUI Task Force a coordinator who shall assist the Board of Cascade County Commissioners and the DUI Task Force in administration of Cascade County's Drinking and Driving Prevention Program. Term: retroactive to July 1, 2014 – December 31, 2025. Effective January 1, 2022, the County shall pay \$1,000 per month.	Commissioners 02:30	
Contract 21-186: Acceptance of the MT Dept. of Justice Marijuana K9 Replacement Program (MKRP) 2021 grant award. Effective dates July 1, 2021- June 30, 2025. Additional funding \$3,303 (refers to R0420068 Contract 21-165).	CCSO 04:58	
Contract 21-189: MOU between Malmstrom Air Force Base and Cascade County Sheriff's Office for inmate housing. Effective dates December 28, 2021-January 2032. Total amount of \$115.00 per inmate per day.	CCSO 07:26	
CITY/COUNTY HEALTH DEPARTMENT	CCHD	
Contract 21-187: MT DPHHS Task Order 22-25-5-51-167-0 Healthy Montana Families Home Visiting Program Amendment #1, effective October 1, 2021-September 30, 2022. Funding increase of \$12,350 for a total amount of \$ 282,321.50.	CCHD 09:00	
Contract 21-188: MT DPHHS reimbursement and reporting requirements for STD program agreement. Purpose-Identify STD testing and treatment reimbursement amounts and instructions for information submission effective November 29, 2021.	CCHD 10:10	

AGENDA –

Resolution 21-79: Final Resolution amending the text of the Cascade County Zoning Regulations to reflect recent legislative changes concerning adult us medical marijuana land uses. **14:08**

There were no additional items to add to the meeting.

Adjournment: Chairman Briggs closed the work session meeting at 2:16 p.m.

CASCADE COUNTY COMMISSION MEETING
December 28, 2021
Via Zoom and Conference room attendees
9:30 A.M.

Commission
Journal #61

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated below, in **red**, and will direct you to the precise location should you wish to review a specific agenda item audio segment. These are in draft form until officially approved on January 11, 2022.

Disclosure: Due to technical difficulties these minutes will be time stamped at real time.
Commission: Chairman Joe Briggs, Commissioner Jim Larson, and Commissioner Don Ryan.

Staff: Carey Ann Haight- Chief Deputy Attorney, Phoebe Marcinek-Deputy Attorney, Charity Yonker- Planning Director, Mary Embelton-Finance, Matt Pfeninger- Deputy Treasurer, Michaela Lear-Commission and Marie Johnson -Deputy Clerk & Recorder
Attendees Via Zoom: Jenn Rowell, Trish Gardner-CCHD, Beth Morrison, and Tom Wylie.
Public: Sharon and Tony Leppellere, Ben and Janette Forsyth.

Call to Order: Chairman Briggs called the meeting to order. **9:30**

Reading of the Commissioners' calendar: Michaela Lear read the calendar. **9:31**

Treasurer's Report: Matt Pfeninger read the treasurers report. **9:33**

Purchase orders and accounts payable checks: *See agenda for payment information.*
Commissioner Larson made a **MOTION** to approve purchase orders and accounts payable warrants. **Motion carries 3-0 9:34**

Consent agenda: Routine day-to-day items that require Commission action. Any Commissioner may pull items from the Consent Agenda for separate discussion/vote.

Approval of the Minutes and Consent Agenda Items: Commissioner Ryan made a **MOTION** to (A) Approve minute entries- *There were no minute entries at this time.* (B) Approval of Routine Contracts as Follows: **03:41**

Contract 21-185: Agreement by and between the Great Falls Pre Release (GFPR) Services Inc. and Cascade County's DUI Task Force a coordinator who shall assist the Board of Cascade County Commissioners and the DUI Task Force in administration of Cascade County's Drinking and Driving Prevention Program. Term: retroactive to July 1, 2014 – December 31, 2025. Effective January 1, 2022, the County shall pay \$1, 000 per month. **9:35**

Contract 21-186: Acceptance of the MT Dept. of Justice Marijuana K9 Replacement Program (MKRP) 2021 grant award. Effective dates July 1, 2021- June 30, 2025. Additional funding \$3,303 (refers to R0420068 Contract 21-165). **9:35**

Contract 21-189: MOU between Malmstrom Air Force Base and Cascade County Sheriff's Office for inmate housing. Effective dates December 28, 2021-January 2032. Total amount of \$115.00 per inmate per day. **9:35**

CITY/COUNTY HEALTH DEPARTMENT

Contract 21-187: MT DPHHS Task Order 22-25-5-51-167-0 Healthy Montana Families Home Visiting Program Amendment #1, effective October 1, 2021-September 30, 2022. Funding increase of \$12,350 for a total amount of \$ 282,321.50. **9:36**

Contract 21-188: MT DPHHS reimbursement and reporting requirements for STD program agreement. Purpose-Identify STD testing and treatment reimbursement amounts and instructions for information submission effective November 29, 2021. **9:36**

Consent agenda was approved, and motion carried 3-0. 9:37

Agenda Item #1

Motion to approve/disapprove

Commissioner Ryan made a **MOTION** to approve the passage of Resolution 21-79, the Final Resolution amending the text of the Cascade County Zoning Regulations to amend the text of Section 2, Definitions, and Section 8.22, Supplementary Regulations of the Cascade County Zoning Regulations as approved by Resolution of Intention 21-59. **9:42**

Public Comments: **9:46**

Ben Forsyth of 3301 9th Street NE, Great Falls, Montana spoke.

Tony Leppellere of 1309 1st Avenue South, Great Falls, Montana spoke.

Closing comments for the Commission.

Motion carries 3-0 9:53

Public Comment on any public matter that is not on the meeting agenda, and that is within the Commissioners' jurisdiction. (MCA 2-3-103) None

Adjournment: Chairman Briggs adjourned this Commission Meeting at 9:54 a.m.

Resolution 22-01

Agenda Action Report *prepared for the* **Cascade County Commission**

ITEM:

Establish a Regular Cascade County Commission Meeting Schedule, Posting and Publications for Calendar Year 2022

**INITIATED &
PRESENTED BY:**

Carey Ann Haight, Deputy County Attorney

ACTION REQUESTED:

Approval of Resolution 22-01

BACKGROUND:

MCA § 7-5-2122(1) requires the board of county commissioners to establish by resolution a regular meeting date and notify the public of that date. MCA § 7-1-2123 requires the board of county commissioners identify where the board will regularly post notice of its meetings and agendas.

This Resolution establishes a regular 2022 meeting schedule for the Cascade County Commission. Effective: January 1, 2022 - December 31, 2022. This Resolution establishes that public notice of its meetings and agendas will be posted on its on-line Webpage, on the bulletin board which is erected outside the chambers of the Board of Cascade County Commissioners at the Cascade County Courthouse Annex, located at 325 2nd Avenue North, Great Falls, Cascade County, Montana and is also available at the office of the county clerk and recorder and that when notice by publication is required that such publication will be in the *Great Falls Tribune*.

RECOMMENDATION: Approval of Resolution 22-01.

MOTION TO APPROVE:

Mr. Chair, I move that the Commission **APPROVE** Resolution 22-01, establishing a regular Cascade County Commission Meeting Schedule, Posting and Publications for calendar year 2022.

MOTION TO DISAPPROVE:

Mr. Chair, I move that the Commission **DISAPPROVE** Resolution 22-01, establishing a regular Cascade County Commission Meeting Schedule, Posting and Publications for calendar year 2022.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA**

**RE: ESTABLISHMENT OF A
REGULAR CASCADE COUNTY
COMMISSION MEETING SCHEDULE,
POSTINGS AND PUBLICATIONS FOR 2022**

RESOLUTION 22-01

WHEREAS, MCA § 7-5-2122(1) requires the board of county commissioners to establish by resolution a regular meeting date and notify the public of that date; and

WHEREAS, MCA § 7-5-2122(2) provides that except as provided in subsection (3) or in the event of an emergency situation under MCA § 2-3-112 affecting the public health, welfare, or safety, all meetings must be held on the date designated in subsection (1) and at the county seat of the board's county.

WHEREAS, MCA § 7-5-2122(3) provides that the board may, by resolution and having provided at least 2 days' posted public notice in accordance with MCA § 7-1-2123, designate another meeting time or place.

WHEREAS, MCA § 7-5-2122(2) authorizes the board of county commissioners to meet at the county seat at any time for the purpose of attending to county business and by resolution and prior 2 days' posted public notice, designate another meeting time and place; and

WHEREAS, pursuant to MCA § 7-1-2123, the Board of Cascade County Commissioners also regularly posts due and sufficient public notice of its meetings on its on-line Webpage at <https://www.cascadecountymt.gov/Calendar.aspx?EID=281>; and

WHEREAS, pursuant to MCA § 7-1-2123, the Board of Cascade County Commissioners also regularly posts due and sufficient public notice of its meetings on the bulletin board which is erected outside the chambers of the Board of Cascade County Commissioners at the Cascade County Courthouse Annex, located at 325 2nd Avenue North, Great Falls, Cascade County, Montana and is also available at the office of the county clerk and recorder; and

WHEREAS, pursuant to MCA § 7-1-2121, the Board of Cascade County Commissioners is required to give public notice of its meetings by publication such notice is published in that certain publication known as the Great Falls Tribune, which is a daily general circulation newspaper; and

WHEREAS the Board of Cascade County Commissioners is aware of certain scheduling conflicts in 2021 which will require exceptions to the regular meeting dates and work sessions,

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CASCADE COUNTY, MONTANA, THAT:

1. Except as set forth below, the regular meeting of the Board of Cascade County Commissioners shall henceforth be held bi-monthly on the second (2nd) and fourth (4th) Tuesday of each month at 9:30 a.m.,
2. Except as set forth below, the Board of Cascade County Commissioners shall conduct a regular public work session meeting on each Wednesday preceding the ensuing week's regular Tuesday morning meeting at 2:00 p.m.,
3. Except in the case of an emergency affecting public health, welfare and safety which has been recognized and/or declared by the Board of Cascade County Commissioners, all regular and special meetings of the Board of Cascade County Commissioners shall take place at and in Cascade County Courthouse Annex, located at 325 2nd Avenue North, Great Falls, Cascade County, Montana.
4. In the event of an emergency affecting public health, welfare and safety, which has been recognized and/or declared by the Board of Cascade County Commissioners, all affected regular and special meetings such meetings shall be conducted via a virtual participation platform with public notices specifying the public participation details.
5. Because of the above meeting changes, the Board herein changes the normally scheduled work sessions as follows:

Regularly Scheduled Date
September 27, 2022

New Date
October 4, 2022

6. All special meetings of the Board of Cascade County Commissioners which may be required shall be scheduled with no less than 2 days' public notice.
7. The establishment of this meeting schedule shall not prohibit the Board of County Commissioners from exercising its authority and discretion to postpone, cancel or re-schedule meetings as the Board may deem necessary in the public interest pursuant to MCA § 7-5-2122(2).
8. During the agenda item of public comment on any public matter that is not on the meeting agenda and that is within the Commissioners' jurisdiction. (MCA 2-3-103) each member of the public has a maximum of seven minutes to comment.

9. The Board of Cascade County Commissioners shall regularly post due and sufficient public notice of its meetings on its on-line Webpage at <https://www.cascadecountymt.gov/Calendar.aspx?EID=281> .
10. The Board of Cascade County Commissioners shall also regularly post due and sufficient public notice of its meetings on the bulletin board which is erected outside the chambers of the Board of Cascade County Commissioners at the Cascade County Courthouse Annex, located at 325 2nd Avenue North, Great Falls, Cascade County, Montana and have available at the office of the county clerk and recorder; and
11. When public notice of its meetings is required by publication, such notice shall be published in that certain publication known as the Great Falls Tribune, which is a daily general circulation newspaper.

Passed and adopted this 11th day of January, 2022.

BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA

Joe Briggs, Chairman

James L. Larson, Commissioner

Don Ryan, Commissioner

Attest

On this 11th day of January 2022, I hereby attest the above-written signatures of the Board of Cascade County Commissioners.

Rina Fontana Moore
Cascade County Clerk and Recorder

* APPROVED AS TO FORM:

Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* The County Attorney has provided advice and approval of the foregoing document language on behalf of the Board of Cascade County Commissioners, and not on behalf of other parties or entities. Review and approval of this document by the County Attorney was conducted solely from a legal perspective and for the exclusive benefit of Cascade County. Other parties should not rely on this approval and should seek review and approval by their own respective counsel.

**BOARD OF
CASCADE COUNTY COMMISSIONERS
2022 MEETING SCHEDULE**

<u>Work Session</u> <u>Wednesday @ 2:00 p.m.</u>	<u>Commission Meeting</u> <u>Tuesday @ 9:30 a.m.</u>
January 5, 2022	January 11, 2022
January 19, 2022	January 25, 2022
February 2, 2022	February 8, 2022
February 16, 2022	February 22, 2022
March 2, 2022	March 8, 2022
March 16, 2022	March 22, 2022
April 6, 2022	April 12, 2022
April 20, 2022	April 26, 2022
May 4, 2022	May 10, 2022
May 18, 2022	May 24, 2022
June 1, 2022	June 7, 2022
June 15, 2022	June 21, 2022
July 6, 2022	July 12, 2022
July 20, 2022	July 26, 2022
August 3, 2022	August 9, 2022
August 17, 2022	August 23, 2022
September 7, 2022	September 13, 2022
September 21, 2022	October 4, 2022
October 5, 2022	October 11, 2022
October 19, 2022	October 25, 2022
November 2, 2022	November 8, 2022
November 16, 2022	November 22, 2022
December 7, 2022	December 13, 2022
December 21, 2022	December 27, 2022

Resolution 22-02

ITEM: Establish the Daily Rate of Incarceration for Calendar Year 2022

**INITIATED &
PRESENTED BY:** Carey Ann Haight, Deputy County Attorney

ACTION REQUESTED: Approval of Resolution 22-02

MCA § 46-18-403, states that “the daily rate for incarceration must be established annually by the board of county commissioners by resolution.

This Resolution establishes the daily rate of incarceration for calendar year 2022 at \$115.00 per day. Effective: January 1, 2022 - December 31, 2022. This is an increase over the daily rate of incarceration for calendar year 2021 which was \$95 per day.

RECOMMENDATION: Approval of Resolution 22-02.

Madam Chair, I move that the Commission **APPROVE** Resolution 22-02, establishing the daily rate of incarceration for FY 2021-2022 at \$115.00 per day.

Madam Chair, I move that the Commission **DISAPPROVE** Resolution 22-02, establishing the daily rate of incarceration for FY 2021-2022 at \$115.00 per day.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA**

**IN THE MATTER OF
DAILY RATE FOR INCARCERATION
CALENDAR YEAR 2022**

RESOLUTION 22-02

WHEREAS, MCA 46-18-403, states that “the daily rate for incarceration must be established annually by the board of county commissioners by resolution”; and

WHEREAS, the daily rate must be equal to the actual cost incurred by the detention facility; and

WHEREAS, it has been determined that the actual costs incurred by the detention facility on an average daily basis are **\$115.00 per inmate** for each day incarcerated,

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Cascade County that the daily rate for confinement costs, other than for actual medial costs, as ordered by the court are paid in advance of confinement and prior to the payment of any fine, is hereby established effective January 1, 2022 for calendar year 2022 at **\$115.00** per day; and,

BE IT FURTHER RESOLVED, if a judgement is for a fine and imprisonment until the fine is paid, the detainee shall be allowed a credit of **\$115.00** for each day of incarceration; and,

BE IT FURTHER RESOLVED, an inmate is responsible for actual costs of medication, medial services, or hospitalization while detained in a detention center, based upon the individual’s ability to pay and/or private provider health care coverage, or a bonafide and responsible third-party payer; and,

BE IT FURTHER RESOLVED, that the County Attorney shall initiate proceedings to collect from the inmate any charges arising from the medial services or hospitalization in accordance with **MCA 7-32-2245**.

Passed and adopted this 11th day of January, 2022.

**BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA**

Joe Briggs, Chairman

James L. Larson, Commissioner

Don Ryan, Commissioner

Attest

On this 11th day of January, 2022, I hereby attest the above-written signatures of the Board of Cascade County Commissioners.

Rina Fontana Moore, Cascade County Clerk and Recorder

* APPROVED AS TO FORM:
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

January 11, 2022

Contract 22-01

Agenda Action Report
prepared for the
Cascade County Commission

ITEM: **Acceptance of MT DES Regional Multi-Hazard Mitigation Plans Notice of Intent**

INITIATED BY: **Cascade County Disaster & Emergency Services**

ACTION REQUESTED: **Approval of Contract 22-01 Award**

PRESENTED BY: **Brad Call, Director of Emergency Management**

SYNOPSIS:

Cascade County DES has elected to participate in the MT DES Regional Multi-Hazard Mitigation Planning Process. Cascade County's current Pre-Hazard Mitigation Plan expires in January 2022. By electing to participate in the Montana DES Regional Multi-Hazard Mitigation Plan, Cascade County's Plan will not only be current, but Cascade County will also have no financial obligation to the Regional Multi-Hazard Mitigation Plan. This plan will be funded by FEMA and the State will be responsible for the financial match requirements, leading to a cost savings of approximately \$25,000. The state will update the plan every 5 years as required by FEMA, ensuring that Cascade County will be covered by a FEMA approved plan in future years.

RECOMMENDATION:

After reviewing the contract documents, staff recommends that the Board of County Commissioners accept the terms and sign the Notice of Intent (OPT-IN).

TWO MOTIONS PROVIDED FOR CONSIDERATION

MOTION TO APPROVE:

Mr. Chairman, I move the Cascade County Commissioners **APPROVE** Contract #22-01 for the MT DES Regional Multi-Hazard Mitigation Plans to OPT-IN.

MOTION TO DISAPPROVE:

Mr. Chairman, I move the Cascade County Commissioners **DISAPPROVE** Contract #20-#22-01 for the MT DES Regional Multi-Hazard Mitigation Plans to OPT-IN.



**DEPARTMENT OF MILITARY AFFAIRS
DISASTER AND EMERGENCY SERVICES DIVISION**

**P.O. BOX 4789
FORT HARRISON, MONTANA 59636-4789**



**NOTICE OF INTENT
Regional Multi-Hazard Mitigation Plans**

JURISDICTIONAL NAME: _____

DATE: _____

POINT OF CONTACT: *(Include email address & phone numbers):* _____

BRIEF DESCRIPTION OF REGIONAL MULTI-HAZARD MITIGATION PLAN BENEFITS:

- Montana Disaster and Emergency Services will be facilitating the planning process with the hired contractor.
- The State will be responsible for the financial match requirements.
- The state will update the plan every five years as required by FEMA ensuring that all participating jurisdictions are covered by a FEMA approved plan in future years.

BRIEF DESCRIPTION OF JURISDICTIONAL RESPONSIBILITY:

- The jurisdiction will participate in the plan development and the lining out of the local hazards and mitigation strategies.
- It is the jurisdictions' responsibility to involve local stakeholders and participate in public outreach engagement.
- The jurisdiction will actively coordinate and participate in all planning meetings with the hired contractor and/or state mitigation personnel.

***** The Regional Hazard Mitigation Plan will provide detail down to the local jurisdictional level. This will include local hazards, values at risk, mitigation actions, etc.**

**DEPARTMENT OF MILITARY AFFAIRS
DISASTER AND EMERGENCY SERVICES DIVISION
P.O. BOX 4789
FORT HARRISON, MONTANA 59636-4789**

☐ OPT-IN: _____ will be participating in the Regional Multi-Hazard Planning Process.
(Jurisdictional Name)

☐ OPT-OUT: _____ will **NOT** be participating in the Regional Multi-Hazard Planning Process.
(Jurisdictional Name)

Signature – local Point of Contact:

Date:

(Signature and Title)

Signature - Jurisdictional/Managerial Official:

Date:

(Signature and Title)

In order for the contractor to begin work, we will need to have this form completed and returned to Montana
DES DESMitigation@mt.gov, by January 31st, 2022

**DEPARTMENT OF MILITARY AFFAIRS
DISASTER AND EMERGENCY SERVICES DIVISION
P.O. BOX 4789
FORT HARRISON, MONTANA 59636-4789**

Montana Disaster and Emergency Services POCs:

Sara Hartley

State Hazard Mitigation Officer

406-324-4794 (office) 406-417-9238 (mobile)

Sara.Hartley@mt.gov

Andrew Long

Mitigation Coordinator

406-202-4532

Andrew.Long@mt.gov

Hannah Shultz

Mitigation Coordinator

406-202-1092

Hannah.Shultz@mt.gov

Shari Pool

Mitigation Coordinator

406-202-2584

Spool@mt.gov

Nicole Erickson

Mitigation Coordinator

406-202-9487

Nicole.Erickson@mt.gov

January 11, 2022

Contract 22-02

Agenda Action Report
prepared for the
Cascade County Commission

ITEM: Acceptance of Emergency Operations Plan for January 2022- January 2024

INITIATED BY: Cascade County Disaster & Emergency Services

ACTION REQUESTED: Approval of Contract 22-02 Award

PRESENTED BY: Brad Call, Director of Emergency Management

SYNOPSIS:

Cascade County Emergency Operations Plan is expiring, and DES and associated stakeholders has reviewed and updated the current plan. This plan is scheduled to be reviewed every 2 years. The Emergency Operation Plan is a requirement of State DES.

RECOMMENDATION:

After reviewing the documents, staff recommends that the Board of County Commissioners accept the Cascade County Emergency Operations Plan (EOP) and sign Promulgation Document.

TWO MOTIONS PROVIDED FOR CONSIDERATION

MOTION TO APPROVE:

Mr. Chairman, I move the Cascade County Commissioners **APPROVE** Contract #22-02 for January 2022 - January 2024 Cascade County Emergency Operation Plan.

MOTION TO DISAPPROVE:

Mr. Chairman, I move the Cascade County Commissioners **DISAPPROVE** Contract #22-02 for January 2022 - January 2024 Cascade County Emergency Operation Plan.

Cascade County, Montana Emergency Operations Plan

January 2022



Jurisdictions

Cascade County

Great Falls

Belt

Cascade

Neihart

CASCADE COUNTY MONTANA EOP
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Attached to Basic Plan:

EMERGENCY FUNCTIONAL ANNEXES:

<u>Direction and Control</u>	<u>Tab B</u>
<u>Animal Care</u>	<u>Tab C</u>
<u>Communications</u>	<u>Tab D</u>
<u>Continuity of Operations/Continuity of Government</u>	<u>Tab E</u>
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Public Information Tab K

Public Warning Tab L

Recovery Tab M

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Restricted Airspace Tab O

Search and Rescue Tab P

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Traffic Diversion Tab S

Transportation Tab T

Volunteer Response Tab U

EMERGENCY HAZARD APPENDICES:

Bomb Threat **Tab 1**

Bridge Collapse **Tab 2**

Building Collapse **Tab 3**

Civil Disturbance **Tab 4**

Dam Failure/Flooding **Tab 5**

Earthquake **Tab 6**

Fire: Wild Land and Urban **Tab 7**

Hazardous Materials Incident **Tab 8**

Transportation Incident **Tab 9**

Utility Interruption **Tab 10**

Weather Emergency **Tab 11**

Promulgation Document

BY VIRTUE of the authority vested in us as the Principal Executive Officers for Cascade County by the Montana Code Annotated, Title 10, Chapter 3, and the charters of the incorporated municipalities; we do approve this Cascade County Emergency Operations Plan for January 2022.

Cascade County

Joe Briggs – Chairman
County Commissioner

Date

Don Ryan
County Commissioner

Date

Jim Larson
County Commissioner

Date

Promulgation Document

BY VIRTUE of the authority vested in us as the Principal Executive Officer the City of Great Falls by the Montana Code Annotated, Title 10, Chapter 3, and the charters of the incorporated municipalities; we do approve this Cascade County Emergency Operations Plan.

City of Great Falls

Gregory Doyon
City Manager, City of Great Falls

Date

CASCADE COUNTY

Copies of this Emergency Operations Plan will be distributed as follows:

Cascade County Commissioners	1
Great Falls City Commissioners	6
Great Falls Fire Department	5
Great Falls Police Department	4
Cascade County Disaster and Emergency Services Coordinator	2
Montana Disaster and Emergency Services-Helena	1
Montana DES – District II	1
Cascade County Sheriff/Coroner's Office	1
Malmstrom Air Force Base	1
Montana Air National Guard	1
City/County Health Department	1
Rural Fire Council	1
Each Mayor or City Manager for an Incorporated Jurisdiction.	4
Administrative Copies kept on file for distribution if necessary	5
Belt 1 Cascade 1 Great Falls 5 Neihart 1 TOTAL COPIES:	42

DATE	SUBJECT AREA	CHANGE #	INITIALS

TO: **Mr./Mrs. (Insert Name Here)**
**Cascade County DES Coordinator or City of Great Falls Emergency
Planner**
P.O. Box 3127
521 1st Ave NW
Great Falls, Montana 59403

Recommended changes, Corrections, Additions, and Deletions to the Emergency
Operations Plan

Any user of this plan is encouraged to recommend changes to this plan that the user feels might enhance or clarify a particular portion of the area being addressed. Suggested changes should be submitted to the County/City Emergency Management Director, at the above address, for coordination, comment, concurrence, and approval. The format of suggested changes should be by Basic Plan or Annex, Section, Paragraph/Subparagraph and page number.

SECTION:

CHANGE:

SHOULD READ:

Submitted by: (Name)

(Date) (Ph. No.)

Cascade County Emergency Operations Plan

BASIC PLAN

I. Purpose

Recognizing that local governments have a fundamental responsibility to protect life and property within their jurisdictions and to respond to the emergency needs of the public and recognizing that emergency planning and management strategies are somewhat generic in nature among adjoining jurisdictions, the co-signers hereto recognize and adopt this document as the Cascade County Emergency Operations Plan ("the Plan"). The Plan provides general guidelines for planning, managing and coordinating the overall response and recovery activities of local government before, during and after major emergencies and disaster that may affect our communities.

The Plan seeks to provide one common all-hazards disasters and emergency operations plan to be utilized by unincorporated areas, cities and communities within Cascade County, Montana.

Specifically, the Plan will address:

- A. Hazard mitigation.
- B. How emergency response agencies and public safety organizations will protect life, the environment and property during, and following an emergency or disaster incident.
- C. The tasking of agencies, organizations and individuals with specific functions and responsibilities during disasters and emergency operations.
- D. Lines of authority, the command structure and organizational relationships between EOC staff and emergency responders, support organizations and elected officials.

- E. Identification of local and state resources and the process to acquire resources and management of resources in the event of large incident or disaster.
- F. Linkage to the National Response Framework (NRF).
- G. Procedures and guides to develop incident action plans (IAP) augmenting National Incident Management System (NIMS) with local Incident Management System.

The plans follow the requirements of MCA Title 10 Chapter 3 and federal guidelines for local all-hazard emergency management concepts, plans and programs 40 CFR (300-355), including the National Incident Management System. Additionally, the plan is based on local emergency resources and planning and identifies how to request and manage additional resources from the state and federal level.

The Basic Plan will address by policies, procedures and guidelines the following:

- Awareness
- Prevention
- Preparedness
- Response
- Recovery

All participating and tasked departments and agencies should, within ninety (90) days of Plan publication, develop and maintain specific strategies to address their spectrum of responsibility to the Plan.

II. Legal Authority

A. Federal

1. Robert T. Stafford Disaster Relief and Emergency Assistance Act and Amendments (P.L. 93-288 as amended by P.L. 100-707). Superfund Amendments and Reauthorization Act (SARA) of 1986. SARA Title III is the Emergency Planning and Community Right to Know Act (EPCRA). The federal regulations governing SARA Title III are found in 40 CFR 300-355.

2. Homeland Security Presidential Directive (HSPD-5 & 8).

B. State

1. Montana Code Annotated, Title 10, Chapter 3.

C. Local

1. City and county ordinances may govern local emergency management functions. Those may be found in the appendices.

2. The City Manager shall be the chief administrator and executive officer of the City of Great Falls and shall be responsible to the City Commission for the administration of all City affairs required by the charter, law, ordinance or resolution. The City of Great Falls City Manager is the Administer of the affairs of the City of Great Falls.

D. Additional authority is in the Promulgation Document located at the front of the Plan.

III. Planning Assumptions

This section identifies certain statements assumed fact for planning considerations.

A. Montana Code Annotated, Title 10, Chapter 3 requires the following:

“10-3-401. Local and interjurisdictional disaster and emergency plan -- distribution. (1) Each political subdivision eligible to receive funds under this chapter shall prepare a local or interjurisdictional disaster and emergency plan and program covering the area for which that political subdivision is responsible. This plan shall be in accordance with and in support of the state disaster and emergency plan and program.

(2) The political subdivision shall prepare and distribute on behalf of the principal executive officers, in written form, a clear and complete statement of:

- (a) the emergency responsibilities of all local agencies, if any, and officials;*
- (b) the disaster and emergency chain of command;*
- (c) local evacuation authority and responsibility; and*

(d) local authority and responsibility for control of ingress and egress to and from an emergency or disaster area."

- B. The scope of the Plan is to provide procedure and structure for emergencies that are multi-jurisdictional, long-term (beyond one operational period, and impact a large portion of the population. The incident commander on-scene of the emergency shall notify the Jurisdictional Executive Leader when he or she determines an incident of the nature explained above has occurred.
- C. It is recognized that successful management of a large incident is, in part, dependent upon the following factors:
 - 1. Early incident command structure and development of an Incident Action Plan (IAP)
 - 2. The IC requests specific type and number of resources early into the incident
 - 3. Declaration of a disaster emergency and activation of the EOC and EOP
 - 4. Protective actions and life safety must be given first priority such as sheltering-in-place and to evacuate to places where more immediate assistance may be available.
 - 5. Mitigation and preparedness measures have been taken by the public before the incident. Community preparedness training programs the educate individuals and families to survive independently for twenty-four to seventy-two hours following an incident.
 - 6. Timely public information by all means possible, including, but not limited to, the media, or the EAS system to warn the community of pending danger and what to do.
- D. This Plan must be current by reflecting the current community risk analysis, resources available and operational procedure. Therefore, it shall be periodically reviewed and updated as needed.
- F. All public safety and public service agencies are considered an integral part of the Plan and shall assist with the planning process and shall respond to disasters and emergencies to protect the community.
- G. Intra-county Mutual aid agreements and Montana State Mutual Aid allow jurisdictions to request additional resources without initiating the plan or

proclaiming a disaster. Excerpt from MCA as follows:

1. **10-3-907. Intrastate mutual aid system -- request for assistance.** (1) A member jurisdiction may request assistance from another member jurisdiction:
 - (a) to prevent, mitigate, respond to, or recover from an emergency or disaster; or
 - (b) in concert with drills or exercises between member jurisdictions.

- H. An emergency or disaster situation could exhaust immediately available resources, creating the need for state and/or federal assistance.
- I. The Plan seeks to identify any anticipated hazard that could adversely affect the jurisdictions and to stipulate preplanning to be developed to a response plan to protect life, the environment and property. This process for preplanning response falls on the authority having Jurisdiction. Any reference to means City means the City of Great Falls. Any reference to the County means Cascade County and towns in the county.
- J. With respect to references to individual positions, the Plan may, from time to time herein, refer to the male gender. Such references should be considered gender neutral.
- K. All references to individual positions in the Plan refer to the holder of that position or his designee.
- L. An incident could occur that is not an anticipated hazard under the Plan.

IV. Situation

- A. Cascade County is located in North-Central Montana. The census population for Cascade County is 81,336¹. Interstate 15 winds its way through communities in the county. The Missouri River, the Sun River and Belt Creek flow through the county that attracts numerous visitors, but also poses the threat of flooding. The Great Falls International Airport sits atop Gore Hill and is served by several airlines and the Montana Air National Guard. The typical landing runway for commercial flights passes over the City of Great Falls.

¹ <https://www.census.gov/quickfacts/fact/table/cascadecountymontana,greatfallscitymontana/PST045219>

- B. The City of Great Falls is the third largest city in the State of Montana with an approximate population 58,000. This population greatly increases during the workweek and during special events. Great Falls is also the home of Malmstrom Air Force Base who is responsible for intercontinental ballistic missiles in Cascade County and distributed throughout the surrounding counties.
- C. Cascade County includes the incorporated towns of; Belt, Cascade and Neihart.
- D. Cascade County Government is administered by a county commission comprised of three (3) elected commissioners. The City of Great Falls is governed by a City Manager appointed by the Mayor and four (4) city commissioners.
- E. The county is exposed to many hazards, all of which have the potential for disrupting the community, causing damage, and creating casualties. Potential hazards which may occur in or around the county are, floods, tornadoes, winter storms, severe weather events, civil disorder, earthquakes, dam failure, HAZMAT incident-fixed facility, HAZMAT incident-highway, refinery and rail incidents, nuclear incidents, power failure, radiological incident-transportation, rural or urban fires and acts of terrorism and acts of violence like active shooter incidents and improvised explosive devices at events with dense populations.

Potential Hazards Table

The following table lists the general hazards facing Cascade County and the municipalities. This list was compiled and evaluated for risk to citizens by the Cascade County LEPC. The evaluation considered frequency of historical occurrence, affected population, affected environment, affected property, and existing capability of response agencies to deal with the hazard.

Numbers in the column "Potential Hazards Generated" correspond to numbers in first column. Example: Flood hazard (#3) may generate other potential hazards such as hazardous materials accidents (#9), severe and prolonged utility loss (#4 and # 7)

Listed in order of severity of risk to Cascade County and the municipalities

#	Hazard	Probability	Potential Hazards Generated	Primary Risk
1.	Hazmat Incidents	Highly Likely	12,14	Toxic inhalation hazard, pollution of ground and surface water, Mass injuries by poisoning, Large amounts of toxic materials, threatening densely populated areas; pollution of ground and surface water
2.	Wildfire	Highly Likely	20,21	Wildland interface height threat to life and property damage
3.	Severe Summer Weather	Highly Likely	20,21	Property exposure and vulnerability, Increased structure damage from high winds and hail, secondary impacts such as wildfire
4.	Severe Winter Weather	Highly Likely	1,2,8,9,20,21	Widespread isolated people and livestock; Power outages
5.	Drought	Likely	14	Livestock and agriculture loss
6.	Communicable Disease	Highly Likely		Widespread health issues; Continuity of Government and Operations
7.	Railroad Accidents	Highly Likely	12,14,20,21	Life Safety
8.	Highway Accidents (Mass Casualty)	Highly Likely	12,14,20,21	Life Safety
9.	Aircraft Accidents	Likely	12,14	Mass casualty for commercial carrier
10.	Floods, Ice Jams, Flash Flooding	Likely	1,20,21	Life safety and property damage; threat to critical infrastructure; lack of potable water; threat of biological contamination
11.	Dam Failure, Levee Failure	Possible	1,20,21	Life safety and property damage; threat to critical infrastructure; lack of potable water; threat of biological contamination
12.	Terrorism, Violence, Civil Unrest	Possible	1,2,5,7,8,9,12,13,14, 16, 20,21,22	Life safety; property damage; panic; mass casualty; overwhelming community medical facilities

13.	Cyber Security	Likely		Disruption of the primary safety answering point and 911 system/ life safety
14.	Structure Fire	Likely	20,21	Life safety and property damage; critical impact to community economy
15.	Earthquake	Possible	1,5,7,8,10,12,20,21	Widespread structural collapse people entrapped gas line rupture and mass fires; Waterline breaks limiting fire suppression efforts interruption of electrical power
16.	Landslide	Unlikely	1,2,7,9,20,21	Life safety and property damage
17.	Avalanche	Unlikely	2,7,9,20,21	Life Safety
18.	Volcanic Ash	Unlikely	20,21	Widespread disruption and chronic health issues
19.	Wind Event	Highly Likely	1,2,7,9,20,21	Life safety and property damage; long term power outages
20.	Communication Failure	Possible		Life safety and disruption of the primary safety answering point and 911 system
21.	Utility failure electric/gas	Likely	12, 14	Widespread utility disruption; water shortages; exposure to weather; security hazards; life safety
22.	Radiological/Radiological Military weapon accident	Possible	14,20,21	Chronic health effects for people in immediate long-term contamination of land and water

V. Concept of Operations

The chain of command and the basic process that may be used in the activation of this Emergency Operation Plan are described in this section.

A. Direction and Control

1. The, County Commissioners, City Manager or Incident Commander can order the activation of the EOC. Requests for activation may be made by other elected officials and the incident commander. The County DES Coordinator and City Emergency Manager may recommend activation of the EOC.

2. The Principal Executive Officer (PEO) has policy and strategic oversight for the Emergency Operations Plan. In the case of the City of Great Falls, the designated official is the City Manager or his/her statutory designee. In the case of county government, the designated official will be the Chairman of the county commission or his/her statutory designee. Specific duties of the PEO during emergency operations are detailed under Section IV-A.-1. Roles and Responsibilities.
3. Emergency Operations Center and Emergency Operations Plan coordination are the responsibility of the Cascade County Disaster and Emergency Service Coordinator (DES) and the City Emergency Manager. The County DES Coordinator is the primary to coordinate with Montana State DES.
4. The EOC Director will oversee and guide EOC staff and activities. Other responsibilities of the EOC Director may include: Set EOC objectives and tasks; Integrates stakeholders; Work with senior officials to facilitate policy direction for incident support; and Ensure dissemination of timely, accurate and accessible information to the public. The EOC Director will coordinate with the Incident Command Post (ICP) to acquire Situation Reports (SitRep). This may be in the form of an Incident Action Plan (IAP).

B. Incident Command System

1. The Incident Command System (ICS) is a management system designed for effective incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.
2. The Incident Commander (IC) operates from an incident command post (ICP). The IC will establish incident objectives, strategies and priorities and will assume overall responsibility for the incident. The IC is responsible for all ICS management functions until he or she delegates those functions. In addition, the IC will provide information to internal and external stakeholders, which may be accomplished by providing SitReps or the current IAP to the EOC, if the EOC is activated.
3. NIMS compliance with the NIMS standards is mandatory under federal law, Incident Command shall comply with the intent of NIMS guides
4. The IC shall conduct all operations under ICS during activation of the Plan. ICS training standards shall be provided to staff that may operate in an ICS role during any level of the incident.

C. Unified Command

1. Any incident that involves multiple jurisdictions, agencies and/or disciplines may require the establishment of Unified Command. The IC may consider the possibility of the need to establish Unified Command as he/she establishes the Incident Command Post (ICP). The command personnel may be co-located in the same command post in order to facilitate communications and decision-making.

D. Emergency Operations Center

1. Coordination of support functions, emergency incident communications, public warning and information and resource management are functions accomplished in the Emergency Operations Center (EOC). The responsible Emergency Manager shall ensure that the EOC is ready at all times to be opened when ordered by the City or County. EOC. It is up to the EOC Director, Principal Executive Director and IC to identify appropriate staff to report to the EOC according to the demands of the incident.
2. The DES Coordinator or City Emergency Manager are to monitor and prepare the EOC staff. The Principal Chief Executive Officers are to support training and exercise opportunities for staff to prepare to work in the EOC during disasters.
3. In advance, Principal Chief Executive Officers for the City and County may stipulate certain government and non-government agencies that are responsible to provide a decision-making staff member to be in attendance in the EOC when it is activated. It is the responsibility of these agencies to:
 - Provide current, twenty-four-hour callout information for their personnel who will work in the EOC
 - Incur any costs associated with their agency's involvement in an EOC activation
4. It shall be the responsibility of the EOC to provide support and coordination to the Incident Commander and assigned staff at the Incident Command Post, and to receive requests, locate, acquire, document and track any and all outside resources requested for work at the emergency incident. An outside resource is defined as any resource requested by an IC that is not available within the assets of an agency or jurisdiction and not available by mutual aid agreements. Any such

resource *must* be requested through the appropriate Emergency Manager. Exception; Based on Montana Mutual the IC can request resources without activation of the EOC. However it is strongly recommended that if Mt Mutual Aid is requested the EOC be activated to assist.

5. The EOC is co-located in the building that is also the Cascade County Consociated Dispatch Center in the at 3015 Airport Drive, Great Falls, Montana, 59404. The Dispatch Center is separate and is not a part of the EOC. The alternate EOC is located at the Cascade County Public Works building located at 279 Vaughn S. Frontage Road, Great Falls, MT 59404.

E. Communications

The Emergency Operations Center shall be responsible for coordination of emergency public information and emergency communications with the incident response personnel. This ensures efficient communications with the field, interoperability, and prevents the 911 center from being overwhelmed with telephone and radio traffic. Therefore, all incident-related communications during an emergency are conducted directly between the ICP and the EOC. More detailed information on the emergency communications function is contained in Functional Annex A03–Communications.

F. Joint Information System (JIS)

This section deals with the dissemination of Emergency Public Information in incidents where multiple agencies and/or jurisdictions are involved. Additional information is covered in Functional Annex A02 – Emergency Public Information.

Communications with the public during a disaster or emergency incident shall be coordinated through the EOC to ensure a “one voice” approach. All officials and personnel involved in an incident, regardless of their home jurisdiction or discipline must ensure that any public statement is coordinated, in advance, with the other members participating in a Joint Information Center (JIC)IS.

1. Role of the Media

- a. The news media is a valuable resource for providing emergency-related information and rumor control to the public. Therefore, Command staff shall assign a public information officer to address, accommodate, and manage the Media’s access to the incident site.

2. Public Information Officer

- a. If there is not PIO assigned at the incident, the IC assumes that role. If the EOC is, activated one essential command staff position is the PIO.
- b. Receives the media and manages the Joint Information Center.
- c. Coordinates flow of information to the public with the IC and EOC.
- d. Arranges interviews with command personnel
- e. In the event of a multi-agency/jurisdiction response, coordinates information flow through appropriate command personnel and all involved agencies to ensure that the message is consistent.
- f. Establishes, when appropriate, a media staging area. The Crystal Inn, located at 3701 31st St SW, Great Falls, MT may be utilized as a location for the media staging area. The City of Great Falls maintains an agreement with the Crystal Inn. Coordination efforts to activate the media staging area will be made by the City of Great Falls.
- g. Manages disaster/Incident media releases to include the use of website information and social media.
- h. Makes their role and contact information known to the media and the EOC staff. The PIO will then ensure that dispatchers and the EOC have this information to pass on to the media as they call in for information.
- i. Have a master media contact list, located in the EOC (telephone, e-mail, fax) and use it to disseminate official news releases and other information.

Note: Master Media Contacts list must include secondary contact information for newsroom managers in the event no one can be contacted at the media organization

G. Mutual Aid – Any jurisdictions with Mutual Aid or Auto-Aid agreements with other agencies shall provide a copy of the agreement to County DES.

H. Incident to be regarded as a “Major Incident that may require the activation of the EOC are as follows

- Involve more than one agency and/or political jurisdiction.
 - Involve complex management and communication issues.
 - Require experienced, highly qualified supervisory personnel.
 - Require numerous tactical and support resources.
 - Involve multiple victims with injuries, fatalities, or illnesses.
 - Include widespread damage to property/environment.
 - Result in psychological threat/trauma. Span multiple operational periods (days, weeks).
 - Are costly to control and mitigate.
 - Require extensive recovery efforts.
 - Draw national media interest.
 - Are designated an Incident of National Significance.
2. When ordering resources from the State or from outside the County the IC shall be specific. Typing equipment and resources while very specific may not be practical in rural Montana.

IMT types correspond to incident type and include:

1. Incidents may be typed in order to make decisions about resource requirements. Incidents are categorized by five types based on complexity. Type 5 incidents are the least complex and Type 1 the most complex.
2. Incident typing is also used to order Incident Management Teams (IMTs). An

IMT is made up of the Command and General Staff members in an ICS organization.

- **Type 3: Local** – County and State assistance with Mutual Aid requested. ICS General Staff activated. Incident lasts longer than 12 hours and will require county and state assistance. State of Emergency may be declared.
- **Type 2: State** – State of Emergency declaration. May involve formal Type 2 overhead team and resources from the state. Incident will involve multiple operational periods or require specialized assistance.
- **Type 1: National** – Disaster declaration. May involve formal Type 1 overhead team and resources from the local, state and federal agencies. Incident will involve multiple operational periods or require specialized assistance.

VI. Roles and Responsibilities

This section will describe certain departments and agencies common to government operations that have a role in preparedness, response and/or recovery of disaster situations.

All departments, agencies and organizations identified in this section of the Plan are responsible for developing procedures and Standard Operating Guidelines to carryout primary and support functions. EACH department and organization shall be prepared for disaster and large emergency operations as noted below:

- Identify a specific chain of command. List names and contact numbers (including afterhours contact information) and provide a copy to Emergency Management.
- Identify personnel who will represent the agency in the EOC (including after-hours contact information).
- Identify valuable records that are essential for operations if emergency evacuation is necessary.
- Plan how to implement post disaster responsibilities

- Identify and secure emergency supplies and forms that may be needed.
- Establish redundant record systems for critical documents.
- Plan for continuation of operations to keep the County and City department's functioning during the crisis and consequence of a disaster.

Agency	Functional Annex																	
	Animal Care (ESF 11)	Communications (ESF 2)	COOP/COG (ESF 5)	Evacuation (ESF 6 & 13)	Health & Medical (ESF 8)	Mass Care (ESF 6)	Mass Casualty/Mass Fatality (ESF 8)	Mitigation (ESF 14)	Public Information (ESF 2)	Public Warning (ESF 2)	Recovery (ESF 14)	Resource Management (ESF 7)	Restricted Airspace (ESF 13)	Search & Rescue (ESF 9)	Special Needs (ESF 6)	Terrorism (ESF 13)	Traffic Diversion (ESF #113)	Transportation (ESF 1)
City/County 911 Dispatch	P	S	S						S	S	S	S		S				
American Red Cross	S		S	S	S				S				S				S	
ARES/RACES		S	S	S	S							S					S	
Benefis Health Systems			S		S	S												
Contracted Bus Services				S	S								S			S		
Cascade County Public Schools			S	S	S								S			S		
Cascade Co. Search & Rescue	S	S	S				S	S		S		P		S	S			
City/County Health Department		S	S	P	S	S	S	S	S	S			P	S	S		S	
Emergency Management	P	S	S	S	P		P	S	P	S	P	P	S	P	S	S	P	P
Emergency Medical Services			S	S	S	S	P	S	S	S		S	S	S	S		S	S
Fire		S	S	S	S	S	P	S	S	S	S		S	S	S	S	S	
Law Enforcement	P	S	S	P		S	P	S	S	S	S		S	S	P	P		S
Great Falls Public Schools			S	S	S													
Great Falls Transit Authority			S	S	S								S			S		
Local Animal Control Agency	S				S												S	
Montana DES		S	S	S			S	S		S	S			S				
Montana DOT		S	S	S			S		S						S			
Montana VOAD				S	S				S					S			S	
National Weather Service								S				S						
Public Works		S	S	S	S		S	S		S	S				S			
The Salvation Army				S	S				S								S	
Veterinarians	S																	
Principal Executive Officer			P	P			S	S										
Coroner						S												
CERT				S	S				S								S	

A. Local Government

1. Principal Executive Officer

In incorporated cities and towns, the Mayor or City Manager or her/his designee performs the duties of the PEO. The City Manager for the City of Great Falls shall be the Chief Administrative and Principal Executive Officer of the City of Great Falls and shall be responsible to the City Commission for the administration of all city affairs. (Charter of the City of Great Falls) In unincorporated county areas, this role is performed by the chairman of the county commission or her/his designee.

This official acts as the Principal Executive Officer of emergency management functions. Specific areas of responsibility during an emergency are as follows:

- a. Ensure continuity of government and government operations.
- b. Approval and commitment of local resources and funds for disaster or emergency purposes.
- c. Issues formal declaration of an emergency or disaster.
- d. Issuance of official orders and emergency declarations, such as curfews and evacuation orders as needed or requested by the Emergency Manager or Incident Commander.
- e. Approval of emergency financial authorizations as requested
- f. Issuance of formal request to the Governor's Office through the Montana Disaster & Emergency Services (MT DES) for the declaration of State emergency for the purpose of obtaining State and/or Federal assistance.
- g. Authorize and approve post disaster recovery operations- including acquisition of temporary facilities.
- h. May be the primary media spokesperson to the news media or designated as necessary.
- i. Provide written delegation of authority for the IC and

EOC Director.

2. Emergency Management

- a. Emergency Managers are appointed by the respective Principal Executive Officer.
- b. Overall responsibility for coordination of emergency operations.
- c. Assists with activation of staff positions as necessary to staff the EOC.
- d. Act as intergovernmental liaison and initiate formal requests for outside assistance from other jurisdictions.
- e. Establishes work schedules of EOC personnel.
- f. Establishes post disaster recovery timelines as necessary
- g. Ensures implementation of Incident Command System.
- h. Ensures any incident management is compliant with regulations of NIMS.
- i. Manages and coordinates EOC operations when activated.
- j. Prepares disaster declarations for the PEO, as appropriate.
- k. Ensures Functional Annex A02 – Emergency Public Information is coordinated through a Joint Information System, as appropriate.
- l. Responsible for compliance with, and distribution and routine maintenance of, the Plan, including updates.

3. Incident Commander - Field

- a. Assign Command and General Staff to meet short and long term needs

- b. Order resources based on incident to protect lives, stabilize the incident and protect property
- c. Ensure the ICS system shall be enforced
- d. Development, manage, and execute an Incident Action Plan (IAP) Identify and maintain key operational locations depending on the situation (i.e., Incident Command Post, staging areas, triage/treatment areas, temporary morgue).
- e. Develop and implement a communication plan that would include a direct line of communication with the EOC when or if it is activated.
- f. Establish Unified Command, as needed.
- g. Assign a PIO and develop clear emergency messages for shelter in place, evacuation, and isolation of area that are dangerous to the community.

4. Law Enforcement

- a. Provide warning services to designated areas.
- b. Normal law enforcement functions.
- c. Control access to disaster areas.
- d. Manage execution of traffic plans.
- e. Support evacuations as needed.
- f. Provides protection for key public officials and facilities as needed.
- g. Responsible for the oversight of body collection. (Cascade County Coroner's Office.)
- h. Provide personnel to support the functions of the Cascade County Coroner.
- i. Establish detention areas if large numbers of arrests occur.

- j. Plan personnel assignments to include long term disaster site security.
- k. Conduct initial damage assessments as possible.
- l. Provide EOC security, when activated and determined to be necessary.
- m. Establish Command for law enforcement functions supporting—and under coordination with—the Incident Commander.
- n. Provide command level representatives to the EOC and Unified Incident Command Post, when activated.

5. Fire Service

- a. Handles regular functions of the department in fire suppression and rescue.
- b. Design and enforce evacuation zones based on the incident.
- c. Request assistance for other fire services and agencies to protect life environment and property.
- d. Conduct rescue operation for trapped and injured. If a mass casualty initiates triage system.
- e. Identification and containment of hazardous materials.
- f. Request the HazMat Team and isolate the incident set the Hot Zone, Warm Zone for decontamination and Cold Zone.
- g. Provide command level representatives to the EOC.
- h. Work with community business and industrial leaders and companies to develop consistent emergency plans for their organizations.
- i. Conduct community/county fire risk assessment and develop preplans that address the risk through training and joint procedures and plans.

- j. Oversees and coordinates the activities of the fire and activities of the fire and rescue departments to assess their needs, helps them obtain resources and ensures that necessary services are provided.

6. 911 CENTER

- a. Maintains full-time Public Safety Answering Point (PSAP) that fields 911 calls for service from the public.
- b. Maintains communications systems necessary to conduct dispatch operations for public safety agencies.
- c. Conducts notifications to emergency management personnel.
- d. Maintains staff of trained telecommunications personnel.
- e. Maintains – Public Warning assets.
- f. Initiates – Public Warning procedures upon request from proper authority.
- g. Relays – Public Warning information from National Weather Service.
- h. Supports EOC operations, as requested.

7. City/County Health Department

- a. Reports to the EOC or other designated location as deemed appropriate; sends a representative to the EOC if unable to report in person.
- b. Assesses community health and medical needs through surveillance efforts.
- c. Oversees and coordinates the activated public health organizations to assess their needs, helps them obtain resources and ensures that necessary services are provided.
- d. Coordinates with neighboring community health and medical organizations and with State and Federal officials on matters related to assistance from other jurisdictions, including Federal assistance.
- e. Coordinates the location, procurement, screening, and

allocation of health and medical supplies and resources, including human resources, required to support health and medical operations.

- f. Oversees the receipt and distribution of the Strategic National Stockpile (SNS) if necessary.
- g. Provides information through the Public Information Officer to the news media on health-related issues. Participates in the JIC if appropriate.
- h. Ensures appropriate health and medical services information is made available to the EOC.
- i. Provides support with coordinating the jurisdiction's efforts to respond to inquiries from family members concerned about loved ones.
- j. Helps ensure the health of shelter residents through inspections and preventing the spread of communicable disease.

8. Emergency Medical Service

- a. Primary responsibility for basic and advanced lifesaving measures; including, but not limited to, triage, pre-hospital treatment and transportation.
- b. Assist, as needed, in the establishment and operation of triage areas that involve on-site treatment, prioritization of transport and coordination with receiving facilities
- c. Provide command level representatives to the EOC
- d. Plan and exercise disaster plans for triage treatment and transport during mass casualty incidents, epidemics, and other medical disasters

9. Public Works

- a. Primary responsibility to open blocked emergency routes to enable first responders to reach disaster areas.
 - b. Remove debris and stabilize public structures to gain access to victims in support of fire and rescue activities.
 - c. Provide personnel, equipment and supplies for flood control and mitigation
-

procedures.

- d. Provide vehicles and personnel to evacuate critical records and equipment and relocate them.
- e. Provide emergency repair for all City owned vehicles at the shops or in the field whenever possible.
- f. Maintain records of the condition and maintenance standards for all city owned equipment.
- g. Where required, reroute water systems for emergency supply.
- h. Initiate and monitor emergency water termination activities.
- i. Identify and provide coordination with the affected water and sewer districts.
- j. Initiate and coordinate the repair and maintenance of the sewage treatment plant.
- k. In conjunction with the City/County Health Department, take action required to mitigate public health hazards as a result of malfunctions and breakages in the water/and or sewer system.
- l. Provide supervisory level representatives to the EOC when activated.

10. City and/or County Attorney

- a. Provide legal counsel and assistance to their jurisdictional government officials, before, during and after disaster emergency incidents with the jurisdiction.
- b. Prepare legal documents (disaster declarations, curfews, evacuation areas, etc.) as needed.
- c. Research the types, form of emergency ordinances, and maintain a resource file.
- d. Develop boilerplate "right of entry" agreements.

- e. Develop boilerplate "hold harmless" agreements.
- f. Provide counsel in the interest of the jurisdiction to EOC officials, as needed.

11. Human Resources, City and/or County

- a. Upon request, shall provide advice to the PEO on situations involving staffing levels.
- b. Upon request, shall initiate requests via the PIO for volunteer assistance.
- c. Work with the proper legal authority to provide forms to streamline, advertising, recruiting, hiring, and insurance for all approved volunteers.
- d. Work with the proper authority to arrange interviews assist with selection of volunteers.
- e. Provide appropriate identification for Volunteers (pin, badge, etc.) as necessary.

12. Clerk

- a. Assure the security of all official records in the custody of the Clerk's Office

13. Finance-Budget Officer

- a. Maintain a list of vendors doing business with the jurisdictions.
- b. Subject to official authorization, provide timely financial assistance for the emergency acquisition of services, supplies, equipment and/or work force.
- c. In conjunction with the DES Coordinator, maintain detailed record of all disaster related expenditures.

14. Engineering/Building Inspector/Community Development/Public Works

- a. Maintain status on all construction, damage assessments and engineering activities.
- b. Subject to individual credentials and licensure, provide technical assistance to all other departments.
- c. Maintain a file on all damaged assessments.
- d. With the appropriately credentialed experts, determine the extent of the damage to the jurisdiction.
- e. Provide for the development and coordination of damage assessment system to meet post disaster needs.
- f. Prepare damage assessments reports as necessary.
- g. Provide for current and master situational maps and charts to the EOC.
- h. Coordinate the structural safety of public improvements in a disaster area.
- i. Provide for the identification, marking and security of buildings and public improvements that constitute safety hazards.
- j. Collect and record all damage assessment information.

15. Parks and Recreation (City of Great Falls)

- a. Provide a source of equipment and work force as coordinated by Human Resource for all city agencies.
- b. Assist as required in any evacuation effort.
- c. Provide the EOC with damage assessment.
- d. Coordinate the emergency repair to public buildings and other facilities required to support emergency life support.

- e. Assist the Public Works Department in identifying and marking those buildings in the disaster zone that constitute a safety hazard.
- f. Assist the Public Works Department in demolishing unsafe structures.

B. State Government

- a. The role of state government during local disasters is as outlined in the Montana Emergency Response Framework.

C. Federal Government

- a. The role of federal agencies in local disasters is as outlined in the National Response Framework.

D. Support Agencies

1. MT Voluntary Organizations Active in Disaster (VOAD)

- a. Provides response for sheltering the public, including bedding, food and temporary housing.
- b. Provides damage assessment, relief, and recovery efforts to affected individuals and families.
 - (1) Coordinates activities of other relief organizations.
 - (2) Provide on-scene support to emergency responders.

2. Great Falls Public Transit

- a. May provide mass transit assistance during disasters and other emergencies, if necessary.

1. Hospitals

- a. Plan and exercise Mass Casualty Incidents
- b. Provide emergency medical and surgical care.
- c. Maintain planning for emergency operations.

- d. Maintain decontamination plan, materials and systems to provide initial decontamination to the public entering the hospital.

2. Cascade County Public or Great Falls Public Schools

- a. May provide facilities for public sheltering

E. Volunteer Organizations

1. Community Emergency Response Team (CERT)
2. North Central Montana Amateur Radio Emergency Services
3. Citizen Corps.
4. Salvation Army
5. American Red Cross

VII. Ongoing Plan Review And Maintenance

The Plan is a working document, requires periodic testing, review, and updates to ensure emergency planning is timely and realistic. The Emergency Management Directors ("Director") of Cascade County and the City of Great Falls are responsible for the maintenance and review of the Plan document. The Cascade County Emergency Manager and City of Great Falls Emergency Planner will oversee the distribution of the document. The Cascade County Local Emergency Planning Committee (LEPC) will review and provide input as necessary.

The LEPC will hold annual hearings in Cascade County to discuss changes and proposals for the Plan. Emergency Management is responsible to see that the Plan is regularly tested through drills and exercises in conjunction with first responders and participants in emergency management.

Agencies and individuals with Plan responsibilities are expected to immediately notify their Emergency Manager in the event they are no longer able to perform their function(s).

VIII. Document Control

The Plan document will be published on an internet server and on compact disc (CD). To ensure the integrity of all published copies, CD copies will be copy protected and Emergency Management will maintain a list of all CD recipients. Emergency Management will provide CD copies.

The bottom of each page of the Plan will include a publish date. LEPC shall keep a log showing each published date with a summary of updates causing a new published copy. Cascade County DES Coordinator and the City of Great Falls Emergency Planner will be responsible for providing updated CD copies to pertinent personnel in their jurisdictions.

IX. Using the Annexes and Appendices

- A. The Plan includes two sections. The first is the Functional Annexes that provide general strategies for managing various emergency management functions. Participating agencies may use the information in the Functional Annex as guidelines for formulating their specific Standard Operating Guidelines (SOGs).
- B. The second is the Hazards Appendices that identifies certain realistic emergency scenarios well beyond the routine. Pertinent sections of the Functional Annex can then be applied in the response to any particular hazard.
- C. Both sections identify a primary agency likely to assume Incident Command for the task or the scenario. Also shown are secondary, or support agencies likely to be utilized.
- D. The Assumptions sections of each Annex and Appendices outlines facts, or that which can be assumed as fact for planning.
- E. Both sections also contain a plan for a certain task (Functional) or general concept of operations (Hazards). Information contained in these sections should help participating agencies and departments in designing their own SOG's.
- F. Each Hazard Appendices references Functional Annexes that might be applied to a scenario.

ATTACHMENT 1

Cascade County Emergency Operations Plan Acronyms

AFRCC	Air Force Rescue Coordination Center
ARES	Amateur Radio Emergency Service
ARMs	Administrative Rules of Montana
ARRS	Aerospace Rescue and Recovery Service
ATC	Air Traffic Control
ATIS	Automatic Terminal Information Service
CAP	Civil Air Patrol
CCEOC	Cascade County Emergency Operations Center
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERT	Community Emergency Response Team
CEO	Chief Elected Official
CISM	Critical Incident Stress Management
CST	Civil Support Team
DFO	Disaster Field Office
DHS/EM	Division of Homeland Security and Emergency Management
DMA2K	Disaster Mitigation Act of 2000
DRC	Disaster Recovery Center
DWI	Disaster Welfare Inquiry
EAS	Emergency Alert System
EBS	Emergency Broadcast System
EOC	Emergency Operations Center
ELT	Emergency Locator Transmitter
EMD	Emergency Management Director
EMS	Emergency Medical Services
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
EPCRA	Emergency Planning and Community Right-to-Know Act
EPI	Emergency Public Information
FBI	Federal Bureau of Investigation
FCC	Federal Communication Commission

FCO	Federal Coordinating Officer
FEMA	Federal Emergency Management Agency
FLIR	Forward Looking Infrared Radar
HSPD	Homeland Security Presidential Directive
JIC	Joint Information Center
JIS	Joint Information System
LEPC	Local Emergency Planning Committee
IAP	Incident Action Plan
IC	Incident Commander
ICP	Incident Command Post
ICS	Incident Command System
MCA	Montana Code Annotated
MHP	Montana Highway Patrol
MOU	Memorandums of Understanding
MTDHSEM	Montana Department of Homeland Security and Emergency Management
MTDNR	Montana Department of Natural Resources
MTDOT	Montana Department of Transportation
MTVOAD	Montana Volunteers Active in Disasters
NAWAS	National Warning System
NIMS	National Incident Management System
NOTAM	Notice to Airmen
NOAA	National Oceanic and Atmospheric Administration
NRP	National Response Plan
OEM	Office of Emergency Management
OES	Office of Emergency Services
PEL	Permissible Exposure Level
PIO	Public Information Officer
PEO	Principal Executive Officer
PPM	Parts per million
PSAP	Public Safety Answering Point
RACES	Radio Amateur Civil Emergency Services
SAR	Search and Rescue
SARA	Superfund Amendments and Reauthorization Act of 1986
SCO	State Coordinating Officer
SNS	Strategic National Stockpile
SOG	Standard Operating Guidelines
TFR	Temporary Flight Restrictions
TTY/TDD	Text Telephone display for hearing / speak impaired
UCS	Unified Command System
VIPS	Volunteers in Police Service
VOAD	Voluntary Organizations Active in Disaster

ATTACHMENT 2

Cascade County Emergency Operations Plan (EOP) DEFINITIONS

AGENCY LIAISON OFFICER (ALO): Persons appointed by Director of designated state agencies who, during emergency periods, coordinate an agency's actions for providing effective relief and assistance in accordance with this plan.

COMMUNITY EMERGENCY RESPONSE TEAM (CERT): A program that helps train people to be better prepared to respond to emergency situations in their communities. CERT members give critical support to first responders in emergencies, provide immediate assistance to victims, organize spontaneous volunteers at a disaster site, and collect disaster intelligence to support first responder efforts.

CONTINUITY OF GOVERNMENT: Ensuring the continued functioning of our state government under the Montana Constitution, including the functioning of the three separate branches of government: Executive, Legislative and Judicial. It also provides for critical state government services that address the health, safety and welfare needs of the entire State.

CONTINUITY OF OPERATIONS: Continuity of Operations Plan (COOP) is planning to ensure that minimum essential government functions are performed during any situation. It is a contingency plan to be activated when any event disrupts an agency's day to day operations to include something as simple as a power outage or as serious as a cataclysmic destruction of an agency's current facilities.

DISASTER: A dangerous event that causes significant human and economic loss and demands a crisis response beyond the scope of any single agency or service, such as the fire or police department. Disasters are distinguished from emergencies by the greater level of response required. Disaster requires resources beyond those available locally.

DISASTER - MAN-MADE: A disaster caused by acts of man including, but not limited to, an act of war, terrorism, chemical spill or release, or power shortages that require assistance from outside the local political subdivision.

DISASTER – NATURAL: Any natural catastrophe, including, but not limited to, a tornado,

severe storm, high water, flood waters, wind-driven water, earthquake, landslide, mudslide, snowstorm, or drought which causes damage of sufficient severity and magnitude to warrant hazard mitigation or the use of resources of the federal government, or the state and political subdivisions thereof to alleviate the damage, loss, hardship or suffering caused thereby.

DEFENSE COORDINATING OFFICER (DCO): Supported and provided by the Department of Defense to serve in the field as the point of contact to the Federal Coordinating Officer and the Emergency Support Functions regarding requests for military assistance.

EMERGENCY: While an emergency may have been devastating, it is a dangerous event that may not result in a request for State or Federal assistance.

"EMERGENCY" AS PROCLAIMED BY THE GOVERNOR: Whenever, in the opinion of the Governor, the safety of Montana and its citizens requires the exercise of extreme measures due to an impending or actual disaster, he may declare an emergency to exist in the state, or any part of the state, in order to aid individuals and local government.

ELECTROMAGNETIC PULSE (EMP): A phenomenon of a nuclear detonation that disrupts electrical transmission and radio sets in a similar manner to a direct hit by lightning.

EMERGENCY OPERATIONS CENTER (EOC): A centralized facility to be utilized by the governments for direction, control and coordination in an emergency or disaster.

EMERGENCY PERIOD: The period of time immediately before, and/or immediately after the impact of a catastrophe when severe threats exist to human life, animals, other private and public property and/or the environment.

EMERGENCY SUPPORT FUNCTION (ESF): A functional area of response activity established to facilitate the delivery of Federal and State assistance required during the immediate response phase of a disaster to save lives, protect property and public health, and to maintain public safety.

EMERGENCY RESPONSE TEAM (ERT): Teams of federal personnel formed by the Director, Federal Emergency Management Agency (FEMA), VI and deployed in a declared major disaster area to assist the federal coordinating officer in carrying out their responsibilities.

FEDERAL COORDINATING OFFICER (FCO): The person appointed by the President of the United States to operate under the Director, Region VI Federal Emergency Management Agency to coordinate federal assistance in a declared major disaster area under the provisions of Public Law 93-288.

GOVERNOR'S AUTHORIZED REPRESENTATIVE (GAR): The person appointed by

the Governor of Montana in the Federal/State Disaster Assistance Agreement as his authorized representative to act in cooperation with the Federal Coordinating Officer.

INCIDENT COMMAND SYSTEM (ICS): The nationally-used, standardized on-scene emergency management concept specifically designed to allow users to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents without being hindered by jurisdictional boundaries.

JOINT FIELD OFFICE (JFO): The office established in or near the designated area to support Federal and State response and recovery operations. The JFO houses the FCO and the Emergency Response Team (ERT), and where possible, the State Coordinating Officer (SCO) and support staff.

JOINT INFORMATION CENTER (JIC): The primary field location for the coordination of Federal, State and local media relations, located in or near the JFO.

LOCAL GOVERNMENT: Any county, city or incorporated town in the State of Montana.

LOCAL MASS CARE CENTER: A place selected locally by the private volunteer groups to provide care for individuals dislocated during the emergency period. Services provided are lodging, feeding, registration, first aid and other social services.

MAJOR DISASTER: Any tornado, storm, flood, high water, wind-driven water, earthquake, volcanic eruption, landslide, snow storm, explosion, or other catastrophe in any part of the United States that, in the determination of the United States, causes damage of sufficient severity and magnitude as to warrant major disaster assistance under Public Law 93-288 above and beyond emergency services by the federal government, to supplement the efforts and available resources of the state, local governments and disaster relief organizations in alleviation of the damage, loss, hardship, or suffering caused thereby.

NATIONAL WARNING SYSTEM (NAWAS): A protected full-time voice communications system that provides warning information throughout the nation.

MONTANA DISASTERS AND EMERGENCY SERVICES DIVISION (DES): The agency responsible for preparation and execution of emergency functions to prevent, minimize and repair injury and damage resulting from hostile actions or natural disasters. This office is also responsible for the homeland security effort for the State of Montana to prepare for, to prevent, to reduce the State's vulnerability to, to minimize the damage from, and to respond to a terrorist attack should one occur.

PUBLIC FACILITY: Any flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, or airport facility, any non-federal aid street, road or highway and any other public

building, structure or system.

RECOVERY PERIOD: That period of time subsequent to an emergency when economic recovery from disaster damage takes place, including the use of any available local, state, federal government and private resources.

RESPONSE: Activities to address the immediate and short-term effects of an emergency or disaster.

SIGNIFICANT EVENTS: All hazardous material releases of any size and type, earthquakes, fires involving large buildings or facilities and large grass or wild fires, explosions, bomb threats, terrorist/civil disturbance, aircraft crash, natural disaster, utility disruption, dam breach, technological/man-made incident, search and rescue, structural collapse, and any other incident that poses significant consequences to the jurisdiction.

STATE COORDINATING AGENCY: The State department or agency assigned primary responsibility to facilitate and coordinate a specific ESF.

COORDINATING OFFICER: The representative of the Governor who coordinates State response and recovery activities with those of the Federal Government.

SUPPORT AGENCY: A state or volunteer agency designated to assist a specific state coordinating agency with available resources, capabilities, or expertise in support of ESF response operations.

STATE AND REGIONAL DISASTER AIRLIFT (SARDA) PLAN: Plan to provide the Governor and the Montana Disasters and Emergency Services with a means to access and utilize general aviation resources within the State, when needed to support emergency operations.

TERRORISM: Defined by the Federal Bureau of Investigation (FBI) as the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

TERRORISM INCIDENT: Defined as the act associated with Terrorism. Categories include Chemical (including explosive devices), Biological (including infectious and noninfectious organisms), Nuclear (including contamination and weapons) and Electronic (including interference with telephone systems, computers, etc.).

VOLUNTEER SERVICE ORGANIZATION: Any organization which is non-government, nonprofit whose primary mission is to provide humanitarian support in times of need using public donated funds and volunteer personnel resources with or without a formal declaration of an emergency, i.e., American Red Cross, the Salvation Army, etc.

I Chart

January 11, 2022

Contract # 22-03

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM:

State of Montana
Board of Crime Control
2021 Coronavirus Emergency Supplemental
Funding (CESF)

INITIATED AND PRESENTED BY:

Shanna Bulik-Chism – Administrator
Cascade County Juvenile Detention Center

ACTION REQUESTED:

Approval of Contract for Grant Award #21-CV01-92767

BACKGROUND:

The purpose of this contract is to accept the grant award from the Montana Board of Crime Control (MBCC) for Coronavirus Emergency Supplemental Funding (CESF). The total of the grant award is \$38,633.44. The funds will be utilized for reimbursement of staff overtime costs associated with COVID, additional cleaning supplies, Personal Protective Equipment (PPE), and additional COVID related nursing services for youth. The duration of this grant will be 07/01/2021 through 06/30/2022.

RECOMMENDATION: Approval of Contract 22-03

TWO MOTIONS PROVIDED FOR CONSIDERATION:

MOTION TO APPROVE:

Mr. Chairman, I move that the Commission approve Contract 22-03 for Coronavirus Emergency Supplemental Funding in the amount of \$38,633.44 to the Cascade County Juvenile Detention Center by the Montana Board of Crime Control.

MOTION TO DISAPPROVE:

Mr. Chairman, I move that the Commission disapprove Contract 22-03 for Coronavirus Emergency Supplemental Funding in the amount of \$38,633.44 to the Cascade County Juvenile Detention Center by the Montana Board of Crime Control.

Montana Board of Crime Control

5 S Last Chance Gulch
PO Box 201408
Helena MT 59620
Phone (406)444-3604
Fax (406)444-4722
TTY (406)444-7099
www.mbcc.mt.gov



January 4, 2022

Leo Dutton
Sheriff, Lewis & Clark County
Chairperson

Rick Kim
Fort Peck Executive
Board Member
Vice Chairperson

Laurie Barron
Superintendent,
Evergreen School District

Terry Boyd
Probation & Parole Officer

Jared Cobell
Assistant U.S. Attorney

Wyatt English
Pine Hills Correctional Facility

Shantelle Gaynor
Director, Missoula County
Community Justice

Wyatt Glade
Custer County Attorney

Brian Gootkin
Director, Department of
Corrections

Austin Knudsen
Attorney General

Rhonda Lindquist
Director, Office of
Public Defender

Beth McLaughlin
Court Administrator

Angela Russell
Attorney

Michael Sanders
Criminal Investigator,
Montana State Lottery

Kaydee Snipes Ruiz
District Court Judge

Amy Tenney
Chief Executive Officer, Boyd
Andrew Community Services

Derek VanLuchene
Founder/President,
Ryan United

Shanna Bulik-Chism
Cascade CO Youth Services Center
1600 26th Street South
Great Falls, MT 59405

RE: 21-CV01-92767 – COVID Relief Assistance
(Please refer to the above grant number in any correspondence.)

Dear Shanna:

The Montana Board of Crime Control (MBCC) congratulates you on the award of your application.

Enclosed is your grant award and necessary instructions. If there has been a change in the Official Budget Representative or Project Director since the time of application, please complete a new signature page (<http://mbcc.mt.gov/Funding/Forms-Info>) and submit it with the signed award documents. Please have **Joe Briggs, Commissioner**, complete and sign the following:

- Grant Award
- Special Conditions
- Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Civil Rights Training Certificate - <http://mbcc.mt.gov/Working-Together/Training>
- Risk Assessment

Documents require original signatures and must be returned to this office.

All grant funds are provided to subgrantees on a reimbursement basis, with proof of expenses incurred.

Quarterly Narrative and Financial Reports are required. You can begin reporting in the systems 16 days after the quarter opens and reports are due within 10 days following the end of each quarter/reporting period. Below is your user ID and password for logging in to *both* the Narrative and Financial Reporting Systems at <http://mbcc.mt.gov/Funding/Reporting>. Please note these are two separate systems and the ID and password are used for both.

Your User ID is: CV01-92767

Your Initial Password is: 0703

Please login immediately to set up your profile and email contacts to receive the reporting reminder emails. Please print the Narrative and Financial Reporting Instructions as a reference (<http://mbcc.mt.gov/Funding/Reporting>).

If you have any questions regarding your grant, please contact Mark Thatcher at (406) 444-3605.

Sincerely,

Natalia Bowser
Crime Control Bureau Chief

Enclosures



STATE OF MONTANA
BOARD OF CRIME CONTROL

5 Last Chance Gulch - Helena MT 59601-4178
Phone: (406) 444-3604 Fax: (406) 444-4722

GRANT AWARD

Subgrant: **21-CV01-92767** **COVID Relief Assistance**

Grantee: Cascade CO Youth Services Center
1600 26th St S
Great Falls, MT 59405

FEIN: 816001343
Duration: 07/01/2021 through 06/30/2022
Proj. Dir: Shanna Bulik-Chism

Award Date:	01/04/2022	Personnel:	\$13,752.00
Federal Amount Awarded:	\$38,633.44	Contract Services:	\$2,550.00
State Amount Awarded:	\$0.00	Travel:	\$0.00
Guaranteed Local Matching:	\$0.00	Equipment:	\$22,331.44
		Operating:	\$0.00
Total:	\$38,633.44	Total:	\$38,633.44

Source of Federal Funds: 16.034 - Coronavirus Emerg. Supplement Funding

Special Conditions

Please see attached Special Conditions

I am pleased to inform you that the Board of Crime Control has approved your application for financial assistance. This grant is subject to the special conditions listed above, general conditions attached hereto, and must be implemented and administered along guidelines already established by your agency. This grant shall become effective, as of the date of award, when the grantee signs and returns a copy of this grant award to the Board of Crime Control.

Funds allocated to this project, both awarded and matching, must be obligated prior to **06/30/2022**

Natalia Bowser
Crime Control Bureau Chief
Dept. of Corrections
Montana Board of Crime Control

Date

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above described grant on the terms and conditions set forth above or incorporated by reference therein.

Joe Briggs
Commissioner

Date

SPECIAL CONDITIONS

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Center

1. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the sub-recipient is to contact MBCC promptly for clarification. [ML2]

2. Subgrantee must obtain competitive bids for equipment and awards should be let to the lowest bidder. For equipment costing more than \$5,000.00, bids must be written and copies submitted with quarterly financial reports. If other than the lowest bid is accepted, a full justification must be submitted to the Board of Crime Control. [ML6]
3. This grant award is conditional upon availability of government funds and may be reduced at anytime due to budget reductions. [ML10]
4. Award of this grant does not commit the Board of Crime Control to future funding. [ML11]
5. Applicant must maintain time and attendance records to support personnel costs associated with grant project. [ML12]
6. State rates for mileage, meals, and lodging are maximum amounts that can be charged to subgrants funded by MBCC.

Mileage rate effective 01/01/2022: \$0.58.5 per mile

Meals Allowance:	In State	Out of State
Morning Meal (12:01AM-10:00AM)	\$7.50	\$13.00
Midday Meal (10:01AM-3:00PM)	\$8.50	\$14.00
Evening Meal (3:01PM-12:00AM)	\$14.50	\$23.00
Totals:	\$30.50	\$50.00

In order to claim reimbursement for a meal, you must be in a travel status for more than 3 continuous hours within one of the time ranges. To receive the morning meal, you must leave before 7:00AM and to receive the evening meal you must return after 6:01PM.

The lodging rate is available online through the following location: https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup/?action=perdiems_report&state=MT&fiscal_year=2021&zip=&city=

Grant funds may not be used to pay for out of state travel without prior approval from MBCC.

Grant funds cannot be used for costs and fees associated with cancelation or changes to travel, (i.e. Airline, hotels, registration, etc.) unless approved by MBCC.

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Reimbursement for lodging without a receipt will be \$12.00

Allowable expenses include emergency working supplies, taxi fares, and business telephone calls. Paid receipts must support individual expense items of \$25.00 or more. [ML15]

7. The maximum rate for consultants is \$650.00 (excluding travel and subsistence costs) for an eight (8) hour day. An 8-hour day may include preparation, evaluation and travel time in addition to the time required for actual performance. Prior approval is required by MBCC for a rate exceeding \$650 or \$81.25 per hour. [ML16]
8. The subrecipient agrees that all income generated as a direct result of this award shall be deemed program income. All program income must be accounted for and used for the purposes under the conditions applicable and must be used to further the objectives of the program or deducted from the total project costs for the purpose of determining the federal share of costs. Further, the use of program income must be shown on the quarterly Financial Status Reports. [ML19]
9. Quarterly progress, financial, narrative and statistical reports, in a format required by MBCC are required for calendar quarters ending: September 30, December 31, March 31, and June 30. These reports are to be received by the Montana Board of Crime Control within 10 days following the end of the calendar quarter. Subgrantees who fail to submit reports by the due date will be subject to the following:

FIRST LATE REPORT: Subgrantee will be notified to cease all expenditures of grant funds until the reports are submitted.

SECOND LATE REPORT: The grant will be cancelled. The project director must appear before the Application Review Committee and petition to get the grant reinstated. [ML26]
10. Consultant services provided by consultants employed with profit, nonprofit, and not-for-profit organizations are subject to competitive bidding procedures. Contracted services provided by other types of organizations may also have restrictions. Please check with Crime Control staff prior to committing grant funds. [ML28]
11. Subgrantee may be required to appear before a subcommittee, at the Board's discretion, to explain their progress towards successful implementation of the grant. [ML34]
12. Any funds not properly obligated during the grant period shall lapse and revert to the Montana Board of Crime Control. [ML40]
13. Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA.

The recipient understands that this condition applies to new activities set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities by this condition are:

a. New Construction;

b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register for Historic Places;

c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as

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an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of the national or program environmental assessment of that funded program or activity. [ML49]

- 14 COMMENCEMENT WITHIN 60 DAYS. If a project is not operational within 60 days of the original start date of the award period, the subgrantee must report by letter to MBCC the steps taken to initiate the project, the reasons for delay, and the expected start date.

OPERATIONAL WITHIN 90 DAYS: If a project is not operational within 90 days of the original start date of the award period, the subgrantee must submit a second statement to MBCC explaining the implementation delay. Upon receipt of the 90-day letter MBCC may cancel the project. MBCC may also, where extenuating circumstances warrant, extend the implementation date of the project past the 90-day period. When this occurs, the appropriate subgrantee files and records must so note the extension. [ML60]

- 15 The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at

https://oig.justice.gov/hotline/grantee_complaint.htm (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>. [ML70]

- 16 Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers. [ML76]
- 17 Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>. [ML78]
- 18 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial

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Guide"). [ML79]

- 19 Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended. [ML83]

- 20 The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name). [ML89]

- 21 References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide. [ML106]
- 22 The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP, or OVW, as appropriate) during the grant period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list. [ML107]
- 23 If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify MBCC in writing of the potential duplication, and, if so requested by MBCC, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding. [ML108]
- 24 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data. [ML112]

- 25 Grant funds may be used only for the purposes in the recipient's approved application. The recipient shall not undertake any work or activities that are not described in the grant application. [ML129]
- 26 The recipient must collect and maintain data that measure the performance and effectiveness of work under this

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award. The data must be provided to MBCC in the manner (including within the timeframes) specified by MBCC, OJP and/or OVW, in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws. [ML135]

- 27 A subrecipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise MBCC in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements. [ML141]

- 28 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <http://ojp.gov/funding/Explore/SubawardAuthorization.htm>. (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here. [ML142]

- 29 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here. [ML143]

- 30 The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance. [ML145]

- 31 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm>. (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here. [ML146]

- 32 In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be

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barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the subrecipient is to contact MBCC for guidance, and may not proceed without the express prior written approval of OJP and MBCC. [ML147]

- 33 Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact MBCC for guidance, and may not proceed without the express prior written approval of MBCC. [ML148]
- 34 No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

- a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and
- b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

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b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency. [ML149]

- 35 The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the recipient or sub-recipient that relate to the conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period -- may result in the Office of Justice Programs ("OJP") taking appropriate action with respect to the recipient, sub-recipient, and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 42 U.S.C. 3795a), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award. [ML0]

- 36 The recipient and sub-recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient or sub-recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards. [ML178]
- 37 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program. [ML179]
- 38 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs." [ML180]
- 39 If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency. [ML181]
- 40 To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system. [ML194]
- 41 If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government

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DNA laboratory with access to CODIS.

No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA.

Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. [ML200]

- 42 Responsibility for the day-to-day conduct of the project rests with the sub-recipient. This specifically includes operations, data collection, analysis and interpretation.

Responsibility for the general oversight and redirection of the project, if necessary, rests with MBCC. MBCC will review and approve all activities in the requirements under the various stages, as approved in this award. [ML201]

- 43 On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements. [ML202]

- 44 The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient)-- 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or 2) uses or operates a "Federal information system" (OMB Circular A-130). The recipients breach procedures must include a requirement to report actual or imminent breach of PII to an MBCC Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach. [ML203]

- 45 1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

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3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-verify@dhs.gov. E-Verify employer agents can email EVERifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.
[ML236]

- 46 SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an

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associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

This condition only applies to Special-purpose districts, State of Montana Agencies, Counties, Cities, Local Government Entities and Tribal Governments. The afore mentioned entities shall follow their procedure policies. [ML237]

- 47 SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ) (or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here. [ML238]

- 48 Ballistic-resistant and stab-resistant body armor purchased with JAG award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202©(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx> [ML247]
- 49 The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum -- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by MBCC (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award

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funds to "supplant" State or local funds. [ML248]

- 50 No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and / or Unmanned Aerial Vehicles (UAV) without prior written approval from MBCC. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Request (GAR) through the MBCC request process. [ML249]

- 51 The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, MBCC will provide notice of any additional CESF program-specific grants administrative requirements on special requirements page that are incorporated by reference here.

<https://www.ojp.gov/funding/explore/CESF-program-specific-condition> [ML250]

- 52 Subrecipients that do not have established procurement policies and procedures must use the established State of Montana procurement process. If a subrecipient chooses to use the State procurement policy, it must be documented within the subrecipient's own policies. The procurement guide, forms and templates are located at the following: <https://spb.mt.gov/Procurement-Guide>. Below is the value threshold for the types of purchases or contracts used.

Small Purchases: Less than or equal to \$5,000; simple market research. Choose technique that best meets subrecipient needs. Follow prudent purchasing practices (competitive quotes where practical).

Limited Solicitation: Purchases greater than \$5,001 - \$25,000 for services, or up to \$50,000 for supplies. Must be documented using the Limited Solicitation form. Must be awarded to the lowest acceptable quote if cost is the only consideration.

Formal Bids & Proposals: Over \$25,001 for services, or over \$50,001 for supplies.

Note: All values are based on total contract value

Example: Subrecipient enters into a 2-year service agreement for \$4,000 a year. This agreement constitutes a total contract value of \$8,000 and would have to go through the limited solicitation process. [ML273]

- 53 The recipient agrees to promptly provide, upon request, financial or programmatic-related documentation related to this award, including documentation of expenditures and achievements. The recipient understands that it will be subject to additional financial and programmatic in-depth or on-site monitoring, which may be on short notice, and agrees that it will cooperate with any such monitoring. The recipient agrees to develop or maintain effective internal controls to manage federal awards (see 2 C.F.R. 200.303) and effective financial management policies and procedures to manage federal awards (see 2 C.F.R. 200.302). [ML274]

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above special conditions.

Joe Briggs
Commissioner

Date



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Cascade County Youth Services Center

1600 26th Street South

Great Falls, MT 59405

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

Cascade County Youth Services Center
1600 26th Street South
Great Falls, MT 59405

2. Application Number and/or Project Name

21-CV01-92767

COVID Relief Assistance

3. Grantee IRS/Vendor Number

81-6001343

4. Typed Name and Title of Authorized Representative

Joe Briggs, Chairman - Cascade County Commission

5. Signature

6. Date

MBCC RISK ASSESSMENT REVIEW FORM

Sub-grantee Agency:	Cascade County Youth Services Center	Current Date:	1/5/2022
Sub-grant Number:	21-CV01-92767	Award Amount:	\$38,633.44
Project Title:	COVID Relief Assistance	Prepared by:	Mary K. Embleton

RISK FACTORS ASSESSMENT

Question Number	Question (Questions 1-3 to be answered by sub-grantee, include additional comments below)	Responses		
		Yes	No	Score (MBCC)
1	a Is your agency subject to the Single Audit Requirement? The trigger for a Single Audit is: During the fiscal year your agency expends federal funds in excess of \$750,000. (If yes, please provide the most recent copy)	✓		
	b In the past two years has your agency received any other type of financial audit or review? (If yes, please provide a copy)		✓	
	c Were there findings or recommendations?	✓		
	d Were the findings resolved?	✓		
2	Do staff have previous grant experience?	✓		
3	Has your agency experienced key employee turnover of an executive director, fiscal officer, or program manager/staff within the past year? (If yes, provide details in comments below)		✓	

Print Name of subgrantee: Joe Briggs, Chairman - Cascade County Commission

Signature of subgrantee:

Date:

Question Number	Question (Questions 4-8 to be answered by MBCC staff, include additional comments below)			
4	Has there been compliance monitoring of the sub-grantee by MBCC during the prior three years?			
5	Has there been any compliance or performance issues, financial management problems/financial instability for the sub-grantee during the prior three years?			
6	Does the sub-grantee have recurring/unresolved issues?			
7	Does the sub-grantee submit complete and timely reports as required?			
		Slightly Complex	Moderately Complex	Highly Complex
8	Rate the complexity of the program.			

RISK ASSIGNED TO SUB-RECIPIENT

COMMENTS/ACTION ITEMS Document your comments and action items in this space (e.g., technical assistance).

RISK ASSESSMENT CRITERIA

Low Risk	Excellent history, no findings, experienced grant management.
Medium Risk	Less than excellent, some past findings, new grantee, large grant, some unknowns. Ongoing training and technical assistance will be provided.
High Risk	Poor performer, financial instability, prior findings, major staff changes, problems identified by other monitors. Ongoing training and technical assistance will be provided.



Civil Rights Compliance

5 South Last Chance Gulch
Helena, MT 59601
406-444-3604
www.mbcc.mt.gov



Introduction

The Montana Department of Corrections, Crime Control Bureau (CCB) provides services and equal employment opportunity (EEO) to all persons regardless of actual or perceived race, color, religion, creed, sex, sexual orientation, gender identity or expression, national origin, age, mental or physical disability, marital status, or political beliefs, discrimination or harassment because of a person's marriage to or association with individuals in one of the previously mentioned protected classes.

This encompasses all employees of CCB, grant applicants, subrecipients of CCB funds, subrecipients' employees, and clients of CCB subrecipients.

CCB will ensure that all subrecipients shall comply with all applicable state and federal laws regarding employment discrimination and affirmative action. It is CCB's position that all employees and subrecipients have a right to work in an environment free from all forms of discrimination, including sexual harassment. As such, CCB practices zero tolerance of harassment in any form.

Training

It is the responsibility of CCB to provide training to subrecipients on Civil-Rights-Related Award Requirements. All subgrantees must complete the online Civil Rights Training available on the agency website at <http://mbcc.mt.gov/Working-Together/Training>.

This training must be completed at the beginning of each grant award. OVW subrecipients will complete the OVW Subrecipients Training while remaining subrecipients will complete Subrecipients Training. Upon completion of the training, participants must certify the training and return a copy of the signed certification with the signed award documents (within 45 days of award) in order to receive reimbursement of any grant funds.

Methods of Monitoring

During subrecipient monitoring visits and desk audits, CCB requires that a Civil Rights Questionnaire be completed ensuring that subrecipients have appropriate policies, procedures and training in place pertaining to discrimination. Additionally, CCB will check subrecipient files, policies, and procedures regarding Civil Rights to ensure compliance with OCR requirements.

Filing a Complaint

Subgrantees' Responsibilities

When a subrecipient's employee, client, customer or program participant files a discrimination complaint directly to the subrecipient, the subrecipient must have procedures in place to address complaints filed directly with their individual agency or organization. Subrecipients must have procedures in place to either investigate the complaint or forward the complaint to CCB for processing. Subrecipients must notify CCB of any complaint being investigated by the subrecipient or if a subrecipient will be forwarding a complaint to CCB or another appropriate agency for processing.

CCB's Responsibilities

Any CCB employee who receives a report of alleged discrimination shall immediately notify the CCB Bureau Chief of a report regardless of their perception of the validity of the complaint. The CCB Bureau Chief, upon receiving notification of a complaint, shall obtain and document information regardless of their perception of the validity of the complaint on CCB's [Discrimination Complaint Referral Form](#).

Upon receipt of a report alleging discrimination, CCB's Bureau Chief will work with the Dept. of Corrections HR Coordinator to refer the complainant to the appropriate agency. The Bureau Chief and the HR Coordinator shall notify complainant of referral to appropriate agency within 10 business days of receiving the complaint. If the CCB Bureau Chief and the DOC HR Coordinator do not refer a complaint, the Bureau Chief will notify the complainant of this action within 10 business days of receiving the complaint. CCB does not investigate complaints of discrimination and does not collect information for investigative purposes pertaining to complaints alleging discrimination.

The CCB Bureau Chief can be reached at:

CCB Bureau Chief
5 South Last Chance Gulch
Helena, MT 59601
406-444-3604



Filing a Complaint, continued

Filing Options

Upon receipt of a complaint, the CCB Bureau Chief and the DOC HR Coordinator will determine if one or more of the following agencies has jurisdiction over the complaint, seeking additional information from the complainant if necessary. If one or more of these agencies has jurisdiction, the CCB will refer the complaint to the appropriate agency within 10 business days of receiving the complaint, and notify the complainant of this action. If the CCB does not refer a complaint, it will notify the complainant of this action within 10 business days of receiving the complaint as well.

Montana Department of Corrections, EEO Officer/Human Resources
5 South Last Chance Gulch
Helena, MT 59620
406-444-0445
eeo@mt.gov

Complaints filed with CCB or Dept. of Corrections EEO/Human Resources Division must be received within one hundred eighty (180) calendar days of the alleged discriminatory occurrence.

Complaints of Sexual Harassment are filed by notifying the ADA/EEO/AA Officer of MDOC, Human Resources Division within sixty (60) calendar days of the alleged harassment.

Montana Human Rights Bureau (HRB)
PO Box 1728
Helena MT 59624
(406) 444-2884
(406) 444-0532 (TTY)
<http://erc.dli.mt.gov/human-rights/human-rights>

Complaints with the HRB must be filed within one hundred eighty (180) calendar days of the alleged discriminatory occurrence. It is necessary to file a charge with the HRB or EEOC in order to preserve the right to file a private lawsuit at a later date.

United States Equal Employment Opportunity Commission (EEOC)
Denver District Office
303 E. 17th Avenue, Ste. 510
Denver CO 80203
(303) 866-1300
(303) 866-1950 (TTY)
www.eeoc.gov

Complaints with EEOC must be filed within three hundred (300) calendar days of the alleged discriminatory occurrence. It is necessary to file a charge with the HRB or EEOC in order to preserve the right to file a private lawsuit at a later date.

Office of Civil Rights, Office of Justice Programs, United States Department of Justice
810 7th Street, NW
Washington, DC 20531
(202) 514-4609
(202) 514-0716 (TTY)
<http://ojdp.gov/about/offices/ocr.htm>

Statutes and Regulations

General Information

OCB's enforcement responsibilities are derived from civil rights requirements contained in the following several nondiscrimination statutes and regulations:

The Violence Against Women Act (VAWA) of 1994, as amended, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in programs authorized under VAWA. See U.S. Department of Justice *Funded Grant Programs Generally Covered by the Nondiscrimination Grant Condition of the Violence Against Women Act* of 1994 for a chart of covered programs.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in OJP, OWW, and COPS funded programs or activities. (34 U.S.C. § 10228(c) and 28 C.F.R. § 42.201 et seq.) See U.S. Department of Justice *Grant Programs Generally Covered by the Nondiscrimination Provision of the Omnibus Crime Control and Safe Streets Act of 1968* for a chart of covered programs.

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in OJP funded programs or activities (34 U.S.C. § 11182). See U.S. Department of Justice *Grant Programs Generally Covered by the Nondiscrimination Provision of the Juvenile Justice and Delinquency Prevention Act of 1974* for a chart of covered programs.

Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP and COPS funded programs or activities. (42 U.S.C. § 2000d and 28 C.F.R. § 42.101 et seq.)

Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP and COPS funded programs or activities. (28 C.F.R. § 42.501 et seq.)

Section 1407 of the Victims of Crime Act (VOCA) of 1984, which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities (34 U.S.C. § 20110). See U.S. Department of Justice *Grant Programs Generally Covered by the Nondiscrimination Provision of the Victims of Crime Act of 1984* for a chart of covered programs.

Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP or COPS funded programs or activities. (42 U.S.C. § 12132 and 28 C.F.R. part 35)

Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP and COPS funded training or educational programs. (20 U.S.C. § 1681 and 28 C.F.R. part 54)

The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP or COPS funded programs or activities. (42 U.S.C. § 6102 and 28 C.F.R. § 42.700 et seq.)

Faith-Based Organizations

Executive Order 13279 issued in 2002 requires funding organizations to treat faith-based organizations (FBOs) the same as any other applicant or recipient of DOJ funding, neither favoring nor discriminating against FBOs in making and administering grant awards, and requires that FBOs be allowed to retain their independence, autonomy, expression, and religious character when competing for DOJ financial assistance used to support social service programs and participating in the social service programs supported with DOJ financial assistance.

The Executive Order and regulations also prohibit recipient FBOs from using Justice Department funding to engage in inherently religious activities, such as proselytizing, scripture study, or worship. Funded FBOs may engage in inherently religious activities; however, these activities must be separate in time or location from the federally assisted program. Moreover, funded FBOs must not compel program beneficiaries to participate in inherently religious activities. Funded faith-based organizations must also not discriminate on the basis of religion in the delivery of services or benefits. Detailed information is available online at <http://ojdp.gov/funding/Explore/SolicitationRequirements/CivilRightsRequirements.htm>.

January 5, 2022

Contract 22-04

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM: MT Board of Crime Control Grant Award.
Grant: 21-CV01-92770,
Keeping Cascade County Safe: COVID-19

INITIATED & PRESENTED BY: Cory Reeves – Undersheriff
Cascade County Sheriff's Office

ACTION REQUESTED: Approval of Contract 22-04

BACKGROUND:

The Cascade County Sheriff's Office applied for and was awarded The Montana Board of Crime Control (MBCC) Keeping Cascade County Safe: COVID-19 grant for \$50,000. This is a grant in which we are reimbursed for PPE, specifically gloves, up to \$50,000, regarding the COVID-19 response. We can submit any receipts we pay from October 7, 2021 to October 7, 2022.

TERM: October 7, 2021 – October 7, 2022.

COST:	Cascade County Sheriff's Office Cost:	\$0.00
	MBCC Allowable Funding:	<u>\$50,000.00</u>
	Total:	\$50,000.00

RECOMMENDATION: Approval of Contract 22-04

TWO MOTIONS PROVIDED FOR CONSIDERATION:

MOTION TO APPROVE:

Mr. Chairman, I move that the Commission **APPROVE** Contract 22-04, MBCC Keeping Cascade County Safe: COVID-19 Grant Award to reimburse the CCSO for 100% of the costs, up to \$50,000.00, spent on COVID-19 related costs.

MOTION TO DISAPPROVE:

Mr. Chairman, I move that the Commission **DISAPPROVE** Contract 22-04, MBCC Keeping Cascade County Safe: COVID-19 Grant Award to reimburse the CCSO for 100% of the costs, up to \$50,000, spent on COVID-19 related costs.



Leo Dutton
Sheriff, Lewis & Clark County
Chairperson

Rick Kim
Fort Peck Executive
Board Member
Vice Chairperson

Laurie Barron
Superintendent,
Evergreen School District

Terry Boyd
Probation & Parole Officer

Jared Cobell
Assistant U.S. Attorney

Wyatt English
Pine Hills Correctional Facility

Shantelle Gaynor
Director, Missoula County
Community Justice

Wyatt Glade
Custer County Attorney

Brian Gootkin
Director, Department of
Corrections

Austin Knudsen
Attorney General

Rhonda Lindquist
Director, Office of
Public Defender

Beth McLaughlin
Court Administrator

Angela Russell
Attorney

Michael Sanders
Criminal Investigator,
Montana State Lottery

Kaydee Snipes Ruiz
District Court Judge

Amy Tenney
Chief Executive Officer, Boyd
Andrew Community Services

Derek VanLuchene
Founder/President,
Ryan United

Montana Board of Crime Control

5 S Last Chance Gulch
PO Box 201408
Helena MT 59620
Phone (406)444-3604
Fax (406)444-4722
TTY (406)444-7099
www.mbcc.mt.gov

January 4, 2022

Cory Reeves
Cascade CO Sheriff's Office
3800 Ulm North Frontage Rd
Great Falls, MT 59401

RE: 21-CV01-92770 – Keeping Cascade CO Safe
(Please refer to the above grant number in any correspondence.)

Dear Cory:

The Montana Board of Crime Control (MBCC) congratulates you on the award of your application.

Enclosed is your grant award and necessary instructions. If there has been a change in the Official Budget Representative or Project Director since the time of application, please complete a new signature page (<http://mbcc.mt.gov/Funding/Forms-Info>) and submit it with the signed award documents. Please have **Joe Briggs, Commissioner**, complete and sign the following:

- Grant Award
- Special Conditions
- Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Civil Rights Training Certificate - <http://mbcc.mt.gov/Working-Together/Training>
- Risk Assessment

Documents require original signatures and must be returned to this office.

All grant funds are provided to subgrantees on a reimbursement basis, with proof of expenses incurred.

Quarterly Narrative and Financial Reports are required. You can begin reporting in the systems 16 days after the quarter opens and reports are due within 10 days following the end of each quarter/reporting period. Below is your user ID and password for logging in to *both* the Narrative and Financial Reporting Systems at <http://mbcc.mt.gov/Funding/Reporting>. Please note these are two separate systems and the ID and password are used for both.

Your User ID is: CV01-92770

Your Initial Password is: 0701

Please login immediately to set up your profile and email contacts to receive the reporting reminder emails. Please print the Narrative and Financial Reporting Instructions as a reference (<http://mbcc.mt.gov/Funding/Reporting>).

If you have any questions regarding your grant, please contact Mark Thatcher at (406) 444-3605.

Sincerely,

Natalia Bowser
Crime Control Bureau Chief

Enclosures



STATE OF MONTANA
BOARD OF CRIME CONTROL
5 Last Chance Gulch - Helena MT 59601-4178
Phone: (406) 444-3604 Fax: (406) 444-4722

GRANT AWARD

Subgrant: **21-CV01-92770** **Keeping Cascade CO Safe**

Grantee: Cascade CO Sheriff's Office
3800 Ulm N Frontage Rd
Great Falls, MT 59404

FEIN: 816001343
Duration: 10/07/2021 through 10/07/2022
Proj. Dir: Cory Reeves

Award Date:	01/04/2022	Personnel:	\$0.00
Federal Amount Awarded:	\$50,000.00	Contract Services:	\$0.00
State Amount Awarded:	\$0.00	Travel:	\$0.00
Guaranteed Local Matching:	\$0.00	Equipment:	\$50,000.00
		Operating:	\$0.00
Total:	\$50,000.00	Total:	\$50,000.00

Source of Federal Funds: 16.034 - Coronavirus Emerg. Supplement Funding

Special Conditions

Please see attached Special Conditions

I am pleased to inform you that the Board of Crime Control has approved your application for financial assistance. This grant is subject to the special conditions listed above, general conditions attached hereto, and must be implemented and administered along guidelines already established by your agency. This grant shall become effective, as of the date of award, when the grantee signs and returns a copy of this grant award to the Board of Crime Control.

Funds allocated to this project, both awarded and matching, must be obligated prior to **10/07/2022**

Natalia Bowser

Natalia Bowser
Crime Control Bureau Chief
Dept. of Corrections
Montana Board of Crime Control

Date

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above described grant on the terms and conditions set forth above or incorporated by reference therein.

Joe Briggs
Commissioner

Date

SPECIAL CONDITIONS

Subgrant: 21-CV01-92770

Keeping Cascade CO Safe

Cascade CO Sheriff's Office

1. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the sub-recipient is to contact MBCC promptly for clarification. [ML2]

2. Subgrantee must obtain competitive bids for equipment and awards should be let to the lowest bidder. For equipment costing more than \$5,000.00, bids must be written and copies submitted with quarterly financial reports. If other than the lowest bid is accepted, a full justification must be submitted to the Board of Crime Control. [ML6]
3. This grant award is conditional upon availability of government funds and may be reduced at anytime due to budget reductions. [ML10]
4. Award of this grant does not commit the Board of Crime Control to future funding. [ML11]
5. Applicant must maintain time and attendance records to support personnel costs associated with grant project. [ML12]
6. State rates for mileage, meals, and lodging are maximum amounts that can be charged to subgrants funded by MBCC.

Mileage rate effective 01/01/2022: \$0.58.5 per mile

Meals Allowance:	In State	Out of State
Morning Meal (12:01AM-10:00AM)	\$7.50	\$13.00
Midday Meal (10:01AM-3:00PM)	\$8.50	\$14.00
Evening Meal (3:01PM-12:00AM)	\$14.50	\$23.00
Totals:	\$30.50	\$50.00

In order to claim reimbursement for a meal, you must be in a travel status for more than 3 continuous hours within one of the time ranges. To receive the morning meal, you must leave before 7:00AM and to receive the evening meal you must return after 6:01PM.

The lodging rate is available online through the following location: https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup/?action=perdiems_report&state=MT&fiscal_year=2021&zip=&city=

Grant funds may not be used to pay for out of state travel without prior approval from MBCC.

Grant funds cannot be used for costs and fees associated with cancelation or changes to travel, (i.e. Airline, hotels, registration, etc.) unless approved by MBCC.

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Reimbursement for lodging without a receipt will be \$12.00

Allowable expenses include emergency working supplies, taxi fares, and business telephone calls. Paid receipts must support individual expense items of \$25.00 or more. [ML15]

7. The maximum rate for consultants is \$650.00 (excluding travel and subsistence costs) for an eight (8) hour day. An 8-hour day may include preparation, evaluation and travel time in addition to the time required for actual performance. Prior approval is required by MBCC for a rate exceeding \$650 or \$81.25 per hour. [ML16]
8. The subrecipient agrees that all income generated as a direct result of this award shall be deemed program income. All program income must be accounted for and used for the purposes under the conditions applicable and must be used to further the objectives of the program or deducted from the total project costs for the purpose of determining the federal share of costs. Further, the use of program income must be shown on the quarterly Financial Status Reports. [ML19]
9. Quarterly progress, financial, narrative and statistical reports, in a format required by MBCC are required for calendar quarters ending: September 30, December 31, March 31, and June 30. These reports are to be received by the Montana Board of Crime Control within 10 days following the end of the calendar quarter. Subgrantees who fail to submit reports by the due date will be subject to the following:

FIRST LATE REPORT: Subgrantee will be notified to cease all expenditures of grant funds until the reports are submitted.

SECOND LATE REPORT: The grant will be cancelled. The project director must appear before the Application Review Committee and petition to get the grant reinstated. [ML26]

10. Consultant services provided by consultants employed with profit, nonprofit, and not-for-profit organizations are subject to competitive bidding procedures. Contracted services provided by other types of organizations may also have restrictions. Please check with Crime Control staff prior to committing grant funds. [ML28]
11. Subgrantee may be required to appear before a subcommittee, at the Board's discretion, to explain their progress towards successful implementation of the grant. [ML34]
12. Any funds not properly obligated during the grant period shall lapse and revert to the Montana Board of Crime Control. [ML40]
13. Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA.

The recipient understands that this condition applies to new activities set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities by this condition are:

a. New Construction;

b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register for Historic Places;

c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as

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an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of the national or program environmental assessment of that funded program or activity. [ML49]

- 14 COMMENCEMENT WITHIN 60 DAYS. If a project is not operational within 60 days of the original start date of the award period, the subgrantee must report by letter to MBCC the steps taken to initiate the project, the reasons for delay, and the expected start date.

OPERATIONAL WITHIN 90 DAYS: If a project is not operational within 90 days of the original start date of the award period, the subgrantee must submit a second statement to MBCC explaining the implementation delay. Upon receipt of the 90-day letter MBCC may cancel the project. MBCC may also, where extenuating circumstances warrant, extend the implementation date of the project past the 90-day period. When this occurs, the appropriate subgrantee files and records must so note the extension. [ML60]

- 15 The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at https://oig.justice.gov/hotline/grantee_complaint.htm (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>. [ML70]

- 16 Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers. [ML76]
- 17 Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>. [ML78]
- 18 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial

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Guide"). [ML79]

- 19 Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended. [ML83]
- 20 The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name). [ML89]

- 21 References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide. [ML106]
- 22 The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP, or OVW, as appropriate) during the grant period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list. [ML107]
- 23 If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify MBCC in writing of the potential duplication, and, if so requested by MBCC, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding. [ML108]
- 24 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data. [ML112]

- 25 Grant funds may be used only for the purposes in the recipient's approved application. The recipient shall not undertake any work or activities that are not described in the grant application. [ML129]
- 26 The recipient must collect and maintain data that measure the performance and effectiveness of work under this

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award. The data must be provided to MBCC in the manner (including within the timeframes) specified by MBCC, OJP and/or OVW, in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws. [ML135]

- 27 A subrecipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise MBCC in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements. [ML141]

- 28 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <http://ojp.gov/funding/Explore/SubawardAuthorization.htm>. (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here. [ML142]

- 29 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here. [ML143]

- 30 The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance. [ML145]

- 31 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm>. (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here. [ML146]

- 32 In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be

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barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the subrecipient is to contact MBCC for guidance, and may not proceed without the express prior written approval of OJP and MBCC. [ML147]

- 33 Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact MBCC for guidance, and may not proceed without the express prior written approval of MBCC. [ML148]
- 34 No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

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b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency. [ML149]

- 35 The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the recipient or sub-recipient that relate to the conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period -- may result in the Office of Justice Programs ("OJP") taking appropriate action with respect to the recipient, sub-recipient, and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 42 U.S.C. 3795a), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award. [ML0]

- 36 The recipient and sub-recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient or sub-recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards. [ML178]
- 37 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program. [ML179]
- 38 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs." [ML180]
- 39 If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency. [ML181]
- 40 To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system. [ML194]
- 41 If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government

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DNA laboratory with access to CODIS.

No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA.

Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. [ML200]

- 42 Responsibility for the day-to-day conduct of the project rests with the sub-recipient. This specifically includes operations, data collection, analysis and interpretation.

Responsibility for the general oversight and redirection of the project, if necessary, rests with MBCC. MBCC will review and approve all activities in the requirements under the various stages, as approved in this award. [ML201]

- 43 On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements. [ML202]

- 44 The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient)-- 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or 2) uses or operates a "Federal information system" (OMB Circular A-130). The recipients breach procedures must include a requirement to report actual or imminent breach of PII to an MBCC Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach. [ML203]

- 45 1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

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3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-verify@dhs.gov. E-Verify employer agents can email EVerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.
[ML236]

- 46 SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an

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associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

This condition only applies to Special-purpose districts, State of Montana Agencies, Counties, Cities, Local Government Entities and Tribal Governments. The afore mentioned entities shall follow their procedure policies. [ML237]

- 47 SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ) (or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here. [ML238]

- 48 Ballistic-resistant and stab-resistant body armor purchased with JAG award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202©(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx> [ML247]
- 49 The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum -- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by MBCC (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award

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funds to "supplant" State or local funds. [ML248]

50 No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and / or Unmanned Aerial Vehicles (UAV) without prior written approval from MBCC. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Request (GAR) through the MBCC request process. [ML249]

51 The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, MBCC will provide notice of any additional CESF program-specific grants administrative requirements on special requirements page that are incorporated by reference here.

<https://www.ojp.gov/funding/explore/CESF-program-specific-condition> [ML250]

52 Subrecipients that do not have established procurement policies and procedures must use the established State of Montana procurement process. If a subrecipient chooses to use the State procurement policy, it must be documented within the subrecipient's own policies. The procurement guide, forms and templates are located at the following: <https://spb.mt.gov/Procurement-Guide>. Below is the value threshold for the types of purchases or contracts used.

Small Purchases: Less than or equal to \$5,000; simple market research. Choose technique that best meets subrecipient needs. Follow prudent purchasing practices (competitive quotes where practical).

Limited Solicitation: Purchases greater than \$5,001 - \$25,000 for services, or up to \$50,000 for supplies. Must be documented using the Limited Solicitation form. Must be awarded to the lowest acceptable quote if cost is the only consideration.

Formal Bids & Proposals: Over \$25,001 for services, or over \$50,001 for supplies.

Note: All values are based on total contract value

Example: Subrecipient enters into a 2-year service agreement for \$4,000 a year. This agreement constitutes a total contract value of \$8,000 and would have to go through the limited solicitation process. [ML273]

53 The recipient agrees to promptly provide, upon request, financial or programmatic-related documentation related to this award, including documentation of expenditures and achievements. The recipient understands that it will be subject to additional financial and programmatic in-depth or on-site monitoring, which may be on short notice, and agrees that it will cooperate with any such monitoring. The recipient agrees to develop or maintain effective internal controls to manage federal awards (see 2 C.F.R. 200.303) and effective financial management policies and procedures to manage federal awards (see 2 C.F.R. 200.302). [ML274]

I, as authorized representative of the above grantee agency, hereby signify acceptance of the above special conditions.

Joe Briggs
Commissioner

Date



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Cascade County Sheriff's Office

3800 Ulm North Frontage Road

Great Falls, MT 59404

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW., Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

Cascade County Sheriff's Office
3800 Ulm North Frontage Road
Great Falls, MT 59404

2. Application Number and/or Project Name

21-CV01-92770

Keeping Cascade CO Safe

3. Grantee IRS/Vendor Number

81-6001343

4. Typed Name and Title of Authorized Representative

Joe Briggs, Chairman - Cascade County Commission

5. Signature

6. Date

MBCC RISK ASSESSMENT REVIEW FORM

Sub-grantee Agency:	Cascade County Sheriff's Office	Current Date:	1/5/2022
Sub-grant Number:	21-CV01-92770	Award Amount:	\$50,000
Project Title:	Keeping Cascade CO Safe	Prepared by:	Mary K. Embleton

RISK FACTORS ASSESSMENT

Question Number	Question (Questions 1-3 to be answered by sub-grantee, include additional comments below)	Responses		
		Yes	No	Score (MBCC)
1	a Is your agency subject to the Single Audit Requirement? The trigger for a Single Audit is: During the fiscal year your agency expends federal funds in excess of \$750,000. (If yes, please provide the most recent copy)	✓		
	b In the past two years has your agency received any other type of financial audit or review? (If yes, please provide a copy)		✓	
	c Were there findings or recommendations?	✓		
	d Were the findings resolved?	✓		
2	Do staff have previous grant experience?	✓		
3	Has your agency experienced key employee turnover of an executive director, fiscal officer, or program manager/staff within the past year? (If yes, provide details in comments below)		✓	

Print Name of subgrantee: Joe Briggs, Chairman - Cascade County Commission

Signature of subgrantee:

Date:

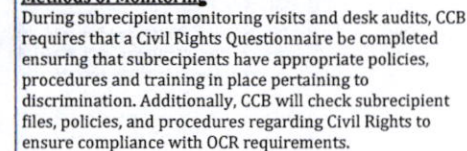
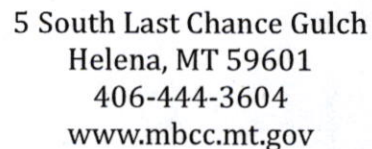
Question Number	Question (Questions 4-8 to be answered by MBCC staff, include additional comments below)			
4	Has there been compliance monitoring of the sub-grantee by MBCC during the prior three years?			
5	Has there been any compliance or performance issues, financial management problems/financial instability for the sub-grantee during the prior three years?			
6	Does the sub-grantee have recurring/unresolved issues?			
7	Does the sub-grantee submit complete and timely reports as required?			
		Slightly Complex	Moderately Complex	Highly Complex
8	Rate the complexity of the program.			

RISK ASSIGNED TO SUB-RECIPIENT

COMMENTS/ACTION ITEMS Document your comments and action items in this space (e.g., technical assistance).

RISK ASSESSMENT CRITERIA

Low Risk	Excellent history, no findings, experienced grant management.
Medium Risk	Less than excellent, some past findings, new grantee, large grant, some unknowns. Ongoing training and technical assistance will be provided.
High Risk	Poor performer, financial instability, prior findings, major staff changes, problems identified by other monitors. Ongoing training and technical assistance will be provided.



CCB Bureau Chief
5 South Last Chance Gulch
Helena, MT 59601
406-444-3604



Filing a Complaint, continued

Filing Options

Upon receipt of a complaint, the CCB Bureau Chief and the DOC HR Coordinator will determine if one or more of the following agencies has jurisdiction over the complaint, seeking additional information from the complainant if necessary. If one or more of these agencies has jurisdiction, the CCB will refer the complaint to the appropriate agency within 10 business days of receiving the complaint, and notify the complainant of this action. If the CCB does not refer a complaint, it will notify the complainant of this action within 10 business days of receiving the complaint as well.

Montana Department of Corrections, EEO Officer/Human Resources
5 South Last Chance Gulch
Helena, MT 59620
406-444-0445
corhr@mt.gov

Complaints filed with CCB or Dept. of Corrections EEO/Human Resources Division must be received within one hundred eighty (180) calendar days of the alleged discriminatory occurrence.

Complaints of Sexual Harassment are filed by notifying the ADA/EEO/AA Officer of MDOC, Human Resources Division within sixty (60) calendar days of the alleged harassment.

Montana Human Rights Bureau (HRB)
PO Box 1728
Helena MT 59624
(406) 444-2884
(406) 444-0532 (TTY)
<http://erd.dli.mt.gov/human-rights/human-rights>

Complaints with the HRB must be filed within one hundred eighty (180) calendar days of the alleged discriminatory occurrence. It is necessary to file a charge with the HRB or EEOC in order to preserve the right to file a private lawsuit at a later date.

United States Equal Employment Opportunity Commission (EEOC)
Denver District Office
303 E. 17th Avenue, Ste. 510
Denver CO 80203
(303) 866-1300
(303) 866-1950 (TTY)
www.eeoc.gov

Complaints with EEOC must be filed within three hundred (300) calendar days of the alleged discriminatory occurrence. It is necessary to file a charge with the HRB or EEOC in order to preserve the right to file a private lawsuit at a later date.

Office of Civil Rights, Office of Justice Programs, United States Department of Justice
810 7th Street, NW
Washington, DC 20531
(202) 514-4609
(202) 514-0716 (TTY)
<http://ojp.gov/about/offices/ocr.htm>

Statutes and Regulations

General Information

OCR's enforcement responsibilities are derived from civil rights requirements contained in the following several nondiscrimination statutes and regulations:

The Violence Against Women Act (VAWA) of 1994, as amended, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in programs authorized under VAWA. See [U.S. Department of Justice Funded Grant Programs Generally Covered by the Nondiscrimination Grant Condition of the Violence Against Women Act of 1994](#) for a chart of covered programs.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex, in OJP, OVW, and COPS funded programs or activities. ([34 U.S.C. § 10228\(c\)](#) and [28 C.F.R. § 42.201 et seq.](#)) See [U.S. Department of Justice Funded Grant Programs Generally Covered by the Nondiscrimination Provision of the Omnibus Crime Control and Safe Streets Act of 1968](#) for a chart of covered programs.

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in OJP funded programs or activities ([34 U.S.C. § 11182](#)). See [U.S. Department of Justice Grant Programs Generally Covered by the Nondiscrimination Provision of the Juvenile Justice and Delinquency Prevention Act of 1974](#) for a chart of covered programs.

Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in OJP and COPS funded programs or activities. ([42 U.S.C. § 2000d](#) and [28 C.F.R. § 42.101 et seq.](#))

Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in OJP and COPS funded programs or activities. ([28 C.F.R. § 42.501 et seq.](#))

Section 1407 of the Victims of Crime Act (VOCA) of 1984, which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in VOCA funded programs or activities ([34 U.S.C. § 20110](#)). See [U.S. Department of Justice Grant Programs Generally Covered by the Nondiscrimination Provision of the Victims of Crime Act of 1984](#) for a chart of covered programs.

Title II of the Americans with Disabilities Act of 1990, as it relates to discrimination on the basis of disability in OJP or COPS funded programs or activities. ([42 U.S.C. § 12132](#) and [28 C.F.R. part 35](#))

Title IX of the Education Amendments of 1972, as it relates to discrimination on the basis of sex in OJP and COPS funded training or educational programs. ([20 U.S.C. § 1681](#) and [28 C.F.R. part 54](#))

The Age Discrimination Act of 1975 as it relates to services discrimination on the basis of age in OJP or COPS funded programs or activities. ([42 U.S.C. § 6102](#) and [28 C.F.R. § 42.700 et seq.](#))

Faith-Based Organizations

Executive Order 13279 issued in 2002 requires funding organizations to treat faith-based organizations (FBOs) the same as any other applicant or recipient of DOJ funding, neither favoring nor discriminating against FBOs in making and administering grant awards, and requires that FBOs be allowed to retain their independence, autonomy, expression, and religious character when competing for DOJ financial assistance used to support social service programs and participating in the social service programs supported with DOJ financial assistance.

The Executive Order and regulations also prohibit recipient FBOs from using Justice Department funding to engage in inherently religious activities, such as proselytizing, scripture study, or worship. Funded FBOs may engage in inherently religious activities; however, these activities must be separate in time or location from the federally assisted program. Moreover, funded FBOs must not compel program beneficiaries to participate in inherently religious activities. Funded faith-based organizations must also not discriminate on the basis of religion in the delivery of services or benefits. Detailed information is available online at <http://ojp.gov/funding/Explore/SolicitationRequirements/CivilRightsRequirements.htm>.

January 11, 2022

Resolution #22-04

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM: Budget Appropriation
Public Health Emergency Program
Increase for Workforce Crisis Development

INITIATED AND PRESENTED BY: Bowen Trystianson
Interim Public Health Officer

ACTION REQUESTED: Approval of Resolution #22-04

BACKGROUND:

The City County Health Department has additional funding from the Public Health Emergency Program grant in the amount of \$78,000. These funds can be used for Workforce Crisis Development.

AMOUNT: \$78,000.00 Funding Increase

RECOMMENDATION: Approval of Resolution 22-04

TWO MOTIONS PROVIDED FOR CONSIDERATION:

MOTION TO APPROVE:

Mr. Chairman, I move that the Commission **APPROVE** Resolution 22-04, amending Fund 2963 by increasing expenditure budget by \$78,000.00, offset by increasing grant revenue budget by \$78,000.00 from Public Health Emergency Preparedness Program.

MOTION TO DISAPPROVE:

Mr. Chairman, I move that the Commission **DISAPPROVE** Resolution 22-04, amending Fund 2963 by increasing expenditure budget by \$78,000.00, offset by increasing grant revenue budget by \$78,000.00 from Public Health Emergency Preparedness Program.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF CASCADE COUNTY, MONTANA

**IN THE MATTER OF A BUDGET APPROPRIATION
WITHIN PUBLIC HEALTH EMERGENCY PROGRAM GRANT FUND #2963
INCREASE FOR WORKFORCE CRISIS DEVELOPMENT**

RESOLUTION 22-04

WHEREAS, the Commission passed Resolution 21-48 Adopting the Final Budget for FY2022 on September 7, 2021 as per MCA 7-6-4020 for all funds including Fund #2963 Public Health Emergency Program Fund; and

WHEREAS, Cascade City-County Health Department performs Public Health Emergency Preparedness Services funded through a DPHHS grant approved by the Commission via contract #19-103 for FY2022; and

WHEREAS, the Commission approved Amendment #4 to the PHEP Program contract on November 23, 2021 via contract #21-176 for \$78,000 in additional funding for Workforce Crisis Development; and

WHEREAS, a budget amendment is necessary to increase the expenditures in Fund #2963 by an amount of \$78,000 offset by grant revenues of \$78,000 effective October 15, 2021; and

WHEREAS, pursuant to Section 7-6-4006, M.C.A. 2019, the Board of County Commissioners has the power to appropriate funds within the budget; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Cascade County the appropriation adjustments are to be made as detailed in Attachment A;

Dated this 11th Day of January, 2022.

**BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA**

Joe Briggs, Chairman

James L. Larson, Commissioner

Don Ryan, Commissioner

ATTEST:

CLERK & RECORDER/AUDITOR
mke

REQUEST FOR BUDGET APPROPRIATION

Attachment A

Date: 12/28/2021
 To: Cascade County Board of Commissioners
 Program Name: PHEP Response
 CFDA #: 93.069 & 93.354
 Contract #: 20-07-6-11-008-0
 Responsible Department: CCHD
 Prepared by: Joey McDermid

Please approve the following budget changes:

	<u>Fund</u>		<u>Dept</u>		<u>Function</u>		<u>Account</u>	<u>Budgeted Amount</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
<u>Expenses</u>										
Acct #	<u>2963</u>	-	<u>481</u>	-	<u>D0100</u>	-	<u>100.110</u>	257,361	70,000	327,361
Acct #	<u>2963</u>	-	<u>481</u>	-	<u>D0100</u>	-	<u>100.140</u>	85,276	8,000	93,276
Acct #	<u> </u>		<u> </u>		<u> </u>		<u> </u>			
Acct #	<u> </u>		<u> </u>		<u> </u>		<u> </u>			
								<u>342,637</u>	<u>78,000</u>	<u>420,637</u>
<u>Revenues</u>										
Acct #	<u>2963</u>	-	<u>481</u>	-	<u> </u>	-	<u>33.1000</u>	343,467	78,000	421,467
Acct #	<u> </u>	-	<u> </u>	-	<u> </u>	-	<u> </u>	0	0	0
								<u>343,467</u>	<u>78,000</u>	<u>421,467</u>

Explanation of budget changes:

Amendment #4 to employ additional public health staff for Workforce Crisis Development.

Changes authorized by:

[Signature] 12/28/21
 Department Head Signature or Date
 Elected Official Signature

[Signature] 1/3/2022
 Budget Officer Date

Bowen Trystianson
 Print Name



Budget Performance Report

Fiscal Year to Date 12/28/21

Include Rollup Account and Rollup to Object

Account Fund	Account Description	Budget	Amendments	Budget	Transactions	Encumbrances	Transactions	Transactions	Rec'd	Prior Year Total
Fund 2963 - Public Health Emergency Prepared										
REVENUE										
Department 481 - PHEP Preparedness										
33										
33.1000	Federal Grants	343,467.00	.00	343,467.00	.00	.00	.00	343,467.00	0	187,242.88
33 - Totals										
	Department 481 - PHEP Preparedness Totals	\$343,467.00	\$0.00	\$343,467.00	\$0.00	\$0.00	\$0.00	\$343,467.00	0%	\$187,242.88
REVENUE TOTALS										
		\$343,467.00	\$0.00	\$343,467.00	\$0.00	\$0.00	\$0.00	\$343,467.00	0%	\$187,242.88
EXPENSE										
Department 481 - PHEP Preparedness										
Function D0100 - Public Health - Federal Funds										
100										
100.110	Salaries & Wages	121,862.00	135,499.00	257,361.00	12,941.47	.00	69,327.79	188,033.21	27	94,830.51
100.120	Overtime	890.00	.00	890.00	.00	.00	.00	890.00	0	815.43
100.130	Termination Pay	1,500.00	.00	1,500.00	.00	.00	.00	1,500.00	0	.00
100.140	Employer Contributions	28,823.00	56,453.00	85,276.00	2,852.81	.00	15,797.09	69,478.91	19	23,087.38
100.145	Employer Contributions- Grants	56,453.00	(56,453.00)	.00	.00	.00	.00	.00	+++	.00
100.146	Union Pensions	.00	.00	.00	.00	.00	.00	.00	+++	3.63
100.150	Salaries & Wages, Grants	136,499.00	(136,499.00)	.00	.00	.00	.00	.00	+++	.00
100 - Totals										
		\$346,027.00	(\$1,000.00)	\$345,027.00	\$15,794.28	\$0.00	\$85,124.88	\$259,902.12	25%	\$118,736.95
200										
200.210	Office Supplies	200.00	.00	200.00	.00	.00	34.05	165.95	17	242.17
200.220	Operating Supplies	37,929.00	.00	37,929.00	.00	.00	43.96	37,885.04	0	5,162.72
200 - Totals										
		\$38,129.00	\$0.00	\$38,129.00	\$0.00	\$0.00	\$78.01	\$38,050.99	0%	\$5,404.89
300										
300.311	Postage	50.00	.00	50.00	.00	.00	.00	50.00	0	.00
300.320	Printing & Typing	1,500.00	.00	1,500.00	.00	.00	36.62	1,463.38	2	1,414.28
300.331	Advertising	.00	.00	.00	.00	.00	147.41	(147.41)	+++	.00
300.341	Electric	240.00	.00	240.00	34.16	.00	234.09	5.91	98	200.29
300.342	Water & Sewer	60.00	.00	60.00	10.98	.00	71.51	(11.51)	119	64.57
300.343	Telephone	1,069.00	.00	1,069.00	118.76	.00	733.86	335.14	69	961.81
300.344	Heating Fuel	120.00	.00	120.00	7.65	.00	23.44	96.56	20	109.32
300.348	Cell Phone Costs	780.00	.00	780.00	101.40	.00	601.93	178.07	77	1,066.51
300.370	Travel	9,300.00	.00	9,300.00	.00	.00	4,653.22	4,646.78	50	(418.92)
300.374	Mileage County Vehicles	180.00	.00	180.00	.00	.00	156.24	23.76	87	179.04
300.380	Training Services	3,000.00	.00	3,000.00	.00	.00	.00	3,000.00	0	480.00
300.390	Other Purchased Services	24,693.00	.00	24,693.00	7.53	.00	72.84	24,620.16	0	80.00
300 - Totals										
		\$40,992.00	\$0.00	\$40,992.00	\$280.48	\$0.00	\$6,731.16	\$34,260.84	16%	\$4,136.90
500										
500.530	Rental	300.00	1,000.00	1,300.00	.00	.00	588.32	711.68	45	.00
500 - Totals										
		\$300.00	\$1,000.00	\$1,300.00	\$0.00	\$0.00	\$588.32	\$711.68	45%	\$0.00



Budget Performance Report

Fiscal Year to Date 12/28/21

Include Rollup Account and Rollup to Object

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year Total
Fund 2963 - Public Health Emergency Prepared										
EXPENSE										
Department 481 - PHEP Preparedness										
Function D0100 - Public Health - Federal Funds Totals		\$425,448.00	\$0.00	\$425,448.00	\$16,074.76	\$0.00	\$92,522.37	\$332,925.63	22%	\$128,278.74
Department 481 - PHEP Preparedness Totals		\$425,448.00	\$0.00	\$425,448.00	\$16,074.76	\$0.00	\$92,522.37	\$332,925.63	22%	\$128,278.74
EXPENSE TOTALS		\$425,448.00	\$0.00	\$425,448.00	\$16,074.76	\$0.00	\$92,522.37	\$332,925.63	22%	\$128,278.74
Fund 2963 - Public Health Emergency Prepared Totals										
REVENUE TOTALS		343,467.00	.00	343,467.00	.00	.00	.00	343,467.00	0%	187,242.88
EXPENSE TOTALS		425,448.00	.00	425,448.00	16,074.76	.00	92,522.37	332,925.63	22%	128,278.74
Fund 2963 - Public Health Emergency Prepared Totals		(\$81,981.00)	\$0.00	(\$81,981.00)	(\$16,074.76)	\$0.00	(\$92,522.37)	\$10,541.37		\$58,964.14
Grand Totals										
REVENUE TOTALS		343,467.00	.00	343,467.00	.00	.00	.00	343,467.00	0%	187,242.88
EXPENSE TOTALS		425,448.00	.00	425,448.00	16,074.76	.00	92,522.37	332,925.63	22%	128,278.74
Grand Totals		(\$81,981.00)	\$0.00	(\$81,981.00)	(\$16,074.76)	\$0.00	(\$92,522.37)	\$10,541.37		\$58,964.14

TASK ORDER AMENDMENT NUMBER FOUR
TASK ORDER FOR PHEP (Public Health Emergency Preparedness)
TASK ORDER NUMBER 20-07-6-11-008-0

This TASK ORDER AMENDMENT is to amend the above-referenced contract between the Montana Department of Public Health and Human Services, (the "Department"), whose contact information is as follows: 1400 Broadway St. Room C202, Helena, MT, 59620-2951, Phone Number (406) 444-1611, Fax Number (406) 444-3044, and Cascade County, ("Contractor"), whose contact information is as follows: Federal Tax ID 81-6001343, 115 4th St. S., Great Falls, MT 59401, Phone Number (406) 761-9899, Fax Number (406) 791-9284, respectively (collectively, the "Parties").

Effective October 15, 2021 this Task Order is amended as follows. Existing language has been struck; amended language underlined.

SECTION 3: SERVICES TO BE PROVIDED, will be amended as follows:

A. The Contractor shall provide the following services:

- 1) through 6) Remain the same.
- 7) Submit to the Department's liaison listed in SECTION 7: LIAISONS AND SERVICE OF NOTICES, the deliverables as outlined and described in the Public Health Emergency Preparedness Deliverable Guide, Budget Period 19-1901, 2019-2020 (Attachment A), COVID-19 Response 2020-2021 (Attachment A1), Cooperative Agreement Requirements & Guidance 2020-2021 (Attachment A2), Funding Table for Additional Positions (Attachment A3), and Attachment A4 Cooperative Agreement Requirements & Guidance 2021-2022, and PUBLIC HEALTH Workforce Crisis Supplemental (Attachment F) provided by the Department and incorporated by reference in this document. Deliverables must be completed by due dates noted in Attachments, or by negotiated due date as described in SECTION 6: SOURCE OF FUNDS AND FUNDING CONDITIONS.
- 8) and 9) Remain the same.
- 10) Provide performance, activity and fiscal reports required by the Department as outlined and described in Public Health Emergency Preparedness Deliverable Guide, Budget Period 19-1901, 2019-2020 (Attachment A), COVID-19 Response 2020-2021 (Attachment A1), Cooperative Agreement Requirements & Guidance 2020-2021 (Attachment A2), Funding Table for Additional Positions (Attachment A3), and Attachment A4 Cooperative Agreement Requirements & Guidance 2021-2022, and PUBLIC HEALTH Workforce Crisis Supplemental (Attachment F).
- 11) through 18) Remain the same.

B. The Department agrees to provide the following services:

- 1) Provide allocation of funds based upon the deliverables specified in Public

January 11, 2022

Resolution #22-05

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM: Budget Appropriation for
Healthy Montana Families

INITIATED AND PRESENTED BY: Bowen Trystianson
Interim Public Health Officer

ACTION REQUESTED: Approval of Resolution #22-05

BACKGROUND:

The City County Health Department has additional funding from the Healthy Montana Families grant in the amount of \$12,350.00. These funds can be used for Parents as Teachers.

AMOUNT: \$12,350.00 increase in appropriation

RECOMMENDATION: Approval of Resolution 22-05

TWO MOTIONS PROVIDED FOR CONSIDERATION:

MOTION TO APPROVE:

Mr. Chairman, I move that the Commission **APPROVE** Resolution 22-05, amending Fund 2973 by increasing expenditure budget by \$12,350.00, offset by increasing grant revenue budget by \$12,350.00 from Healthy Montana Families.

MOTION TO DISAPPROVE:

Mr. Chairman, I move that the Commission **DISAPPROVE** Resolution 22-05, amending Fund 2973 by increasing expenditure budget by \$12,350.00, offset by increasing grant revenue budget by \$12,350.00 from Healthy Montana Families.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF CASCADE COUNTY, MONTANA

**IN THE MATTER OF A BUDGET APPROPRIATION
WITHIN HEALTHY MONTANA FAMILIES GRANT FUND #2973
INCREASE FOR PARENTS AS TEACHERS**

RESOLUTION 22-05

WHEREAS, the Commission passed Resolution 21-48 Adopting the Final Budget for FY2022 on September 7, 2021 as per MCA 7-6-4020 for all funds including Fund #2963 Pubic Health Emergency Program Fund; and

WHEREAS, Cascade City-County Health Department performs Healthy Montana Families Services funded through a DPHHS grant approved by the Commission via contract #21-92 for FY2022; and

WHEREAS, the Commission approved Amendment #1 to the Healthy Montana Families contract on December 28, 2021 via contract #21-187 for \$12,350 in additional funding for Parents as Teachers (PAT); and

WHEREAS, a budget amendment is necessary to increase the expenditures in Fund #2973 by an amount of \$12,350 offset by grant revenues of \$12,350 effective January 1, 2022; and

WHEREAS, pursuant to Section 7-6-4006, M.C.A. 2019, the Board of County Commissioners has the power to appropriate funds within the budget; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Cascade County the appropriation adjustments are to be made as detailed in Attachment A;

Dated this 11th Day of January, 2022.

**BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA**

Joe Briggs, Chairman

James L. Larson, Commissioner

Don Ryan, Commissioner

ATTEST:

CLERK & RECORDER/AUDITOR
mke

REQUEST FOR BUDGET APPROPRIATION

Date: 12/28/2021

To: Cascade County Board of Commissioners

Program Name: Parents as Teachers

CFDA # 93.87

Contract # 22-25-5-41-167-0

Responsible Department: CCHD

Prepared by: Joey McDermid

Attachment A

Please approve the following budget changes:

	<u>Fund</u>		<u>Dept</u>		<u>Function</u>		<u>Account</u>	<u>Budgeted Amount</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
<u>Expenses</u>										
Acct #	<u>2973</u>	-	<u>555</u>	-	<u>D0100</u>	-	<u>100.110</u>	0	111,975	111,975
Acct #	<u>2973</u>	-	<u>555</u>	-	<u>D0100</u>	-	<u>100.140</u>	0	39,585	39,585
Acct #	<u>2973</u>	-	<u>555</u>	-	<u>D0100</u>	-	<u>100.145</u>	37,235	(37,235)	0
Acct #	<u>2973</u>	-	<u>555</u>	-	<u>D0100</u>	-	<u>100.150</u>	105,975	(105,975)	0
Acct #	<u>2973</u>	-	<u>555</u>	-	<u>D0100</u>	-	<u>300.380</u>	2,925	4,000	6,925
Acct #								<u>146,135</u>	<u>12,350</u>	<u>158,485</u>
<u>Revenues</u>										
Acct #	<u>2973</u>	-	<u>555</u>	-		-	<u>33.1000</u>	165,000	12,350	177,350
Acct #		-		-		-		0	0	0
								<u>165,000</u>	<u>12,350</u>	<u>177,350</u>

Explanation of budget changes:
Amendment #1 additional funding

Changes authorized by:

B. Trystianson 12/28/21
Department Head Signature or Date
Elected Official Signature

David Emberton 1/3/2022
Budget Officer Date

Bowen Trystianson
Print Name



Budget Performance Report

Fiscal Year to Date 12/28/21

Include Rollup Account and Rollup to Object

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year Total
Fund 2973 - Home Visiting - Federal Funds										
REVENUE										
Department 555 - HMF Parents as Teachers(Even FY)										
33										
33.1000	Federal Grants	165,000.00	.00	165,000.00	.00	.00	.00	165,000.00	0	.00
33 - Totals		\$165,000.00	\$0.00	\$165,000.00	\$0.00	\$0.00	\$0.00	\$165,000.00	0%	\$0.00
34										
34.4110	Medicaid T.C.M. (New)	.00	.00	.00	.00	.00	582.66	(582.66)	+++	.00
34 - Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$582.66	(\$582.66)	+++	\$0.00
Department 555 - HMF Parents as Teachers(Even FY)		\$165,000.00	\$0.00	\$165,000.00	\$0.00	\$0.00	\$582.66	\$164,417.34	0%	\$0.00
Totals		\$165,000.00	\$0.00	\$165,000.00	\$0.00	\$0.00	\$582.66	\$164,417.34	0%	\$0.00
REVENUE TOTALS		\$165,000.00	\$0.00	\$165,000.00	\$0.00	\$0.00	\$582.66	\$164,417.34	0%	\$0.00
EXPENSE										
Department 555 - HMF Parents as Teachers(Even FY)										
Function D0100 - Public Health - Federal Funds										
100										
100.110	Salaries & Wages	.00	.00	.00	111,975	.00	29,521.64	(29,521.64)	+++	.00
100.140	Employer Contributions	.00	.00	.00	39,585	.00	10,039.46	(10,039.46)	+++	.00
100.145	Employer Contributions- Grants	37,235.00	.00	37,235.00	37,235	.00	.00	37,235.00	0	.00
100.146	Union Pensions	.00	.00	.00	.00	.00	.59	(.59)	+++	.00
100.150	Salaries & Wages, Grants	105,975.00	.00	105,975.00	105,975	.00	.00	105,975.00	0	.00
100 - Totals		\$143,210.00	\$0.00	\$143,210.00	\$13,431.53	\$0.00	\$39,561.69	\$103,648.31	28%	\$0.00
200										
200.210	Office Supplies	2,295.00	.00	2,295.00	.00	.00	.00	2,295.00	0	.00
200.220	Operating Supplies	5,280.00	.00	5,280.00	.00	.00	.00	5,280.00	0	.00
200 - Totals		\$7,575.00	\$0.00	\$7,575.00	\$0.00	\$0.00	\$0.00	\$7,575.00	0%	\$0.00
300										
300.311	Postage	315.00	.00	315.00	5.31	.00	5.31	309.69	2	.00
300.320	Printing & Typing	750.00	.00	750.00	.00	.00	.00	750.00	0	.00
300.330	Publicity, Subscrip.&Dues	270.00	.00	270.00	.00	.00	.00	270.00	0	.00
300.340	Utility Services	2,295.00	.00	2,295.00	.00	.00	.00	2,295.00	0	.00
300.342	Water & Sewer	.00	.00	.00	14.03	.00	14.03	(14.03)	+++	.00
300.343	Telephone	405.00	.00	405.00	26.41	.00	26.41	378.59	7	.00
300.344	Heating Fuel	405.00	.00	405.00	9.75	.00	9.75	395.25	2	.00
300.348	Cell Phone Costs	1,215.00	.00	1,215.00	.00	.00	.00	1,215.00	0	.00
300.350	Professional Services	360.00	.00	360.00	.00	.00	.00	360.00	0	.00
300.370	Travel	910.00	.00	910.00	.00	.00	.00	910.00	0	.00
300.374	Mileage County Vehicles	4,365.00	.00	4,365.00	.00	.00	.00	4,365.00	0	.00
300.380	Training Services	2,925.00	.00	2,925.00	4000	.00	.00	2,925.00	0	.00
300.390	Other Purchased Services	.00	.00	.00	5.87	.00	5.87	(5.87)	+++	.00
300 - Totals		\$14,215.00	\$0.00	\$14,215.00	\$61.37	\$0.00	\$61.37	\$14,153.63	0%	\$0.00



Budget Performance Report

Fiscal Year to Date 12/28/21

Include Rollup Account and Rollup to Object

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year Total
Fund 2973 - Home Visiting - Federal Funds											
EXPENSE											
Department 555 - HMF Parents as Teachers(Even FY)											
Function D0100 - Public Health - Federal Funds Totals		\$165,000.00	\$0.00	\$165,000.00	\$13,492.90	\$0.00	\$39,623.06	\$125,376.94	24%	\$0.00	\$0.00
Department 555 - HMF Parents as Teachers(Even FY) Totals		\$165,000.00	\$0.00	\$165,000.00	\$13,492.90	\$0.00	\$39,623.06	\$125,376.94	24%	\$0.00	\$0.00
EXPENSE TOTALS		\$165,000.00	\$0.00	\$165,000.00	\$13,492.90	\$0.00	\$39,623.06	\$125,376.94	24%	\$0.00	\$0.00
Fund 2973 - Home Visiting - Federal Funds Totals											
REVENUE TOTALS		165,000.00	.00	165,000.00	.00	.00	582.66	164,417.34	0%	.00	.00
EXPENSE TOTALS		165,000.00	.00	165,000.00	13,492.90	.00	39,623.06	125,376.94	24%	.00	.00
Fund 2973 - Home Visiting - Federal Funds Totals		\$0.00	\$0.00	\$0.00	(\$13,492.90)	\$0.00	(\$39,040.40)	\$39,040.40		\$0.00	\$0.00
Grand Totals											
REVENUE TOTALS		165,000.00	.00	165,000.00	.00	.00	582.66	164,417.34	0%	.00	.00
EXPENSE TOTALS		165,000.00	.00	165,000.00	13,492.90	.00	39,623.06	125,376.94	24%	.00	.00
Grand Totals		\$0.00	\$0.00	\$0.00	(\$13,492.90)	\$0.00	(\$39,040.40)	\$39,040.40		\$0.00	\$0.00

TASK ORDER AMENDMENT NUMBER ONE
TASK ORDER FOR Healthy Montana Families
TASK ORDER NUMBER 22-25-5-41-167-0

This Task Order Amendment is entered into between the Montana Department of Public Health and Human Services, ("Department"), P.O. Box 4210, Helena, MT 59620, Phone Number (406) 444-5623, Fax Number (406) 444-1970, and Cascade City-County Health Department ("Contractor"), whose federal ID number, mailing address, and phone number are 81-6001343, 115 4th St. S. Great Falls, MT 59401, and (406) 791-9262.

Effective January 1, 2022 this Task Order is amended as follows. Existing language has been struck; amended language underlined.

1. Section 5, Compensation

A. In consideration of the services provided through this contract, the Department will pay the Contractor up to ~~\$269,971.50~~ \$282,321.50 as follows for the services outlined in Section 3. The funding must be spent in accordance with the Health Resources and Services Administration (HRSA) and HMF requirements for the funding, which require funds to be used on evidence-based home visiting services. The Contractor must submit a proposed budget for the contract period and monthly expenditure reports. The final amount of funding released will be based on the total approved expenditures reported on the Expenditure Reports. Costs must be allocable and allowable under the funding source. Funding must be spent within the contract period. Contractors must retain all records pertaining to financial transactions under the contract (invoices, timesheets, travel expenses, etc.). Such documentation is subject to review upon request on a schedule determined by HMF and during site visits. Carryover is not allowed. Unspent funding must be returned to the Department.

B. and C. Remain the same.

2. Section 6, Source of Funds and Funding Conditions

A. and B. Remain the same.

C. The total payment under this contract may not exceed ~~\$269,971.50~~ \$282,321.50 and is contingent upon receipt of funding from the United States Department of Health and Human Services and the Contractor's provision of HMF services as outlined in this contract. The source of funding for this contract is from the Maternal, Infant, and Early Childhood Home Visiting Program, CFDA's 93.505 and 93.870 through the Health Resources and Services Administration, United States Department of Health and Human Services, and Montana State General Fund and the Tobacco Trust Settlement Fund.

AUTHORITY TO EXECUTE

Each of the parties represents and warrants that this Task Order Amendment is entered into and executed by the person so authorized to bind the party to the provisions of this Task Order Amendment, Task Order, and the Master Contract.

January 11, 2022

Contract #22-05

Agenda Action Report
Prepared for the
Cascade County Commission

ITEM: Montana DPHHS
And Cascade County for its Board of Health
(collectively BOH)
Cooperative Agreement

INITIATED AND PRESENTED BY: Bowen Trystianson
Interim Public Health Officer

ACTION REQUESTED: Approval of Contract #22-05

BACKGROUND:

The purpose of this agreement is to establish a payment schedule for maximizing the disbursement of funds to the BOH to support inspections of licensed establishments and to determine which optional programs the BOH will conduct.

TERM: January 1, 2022 - December 31, 2022

AMOUNT: Per Table 1, Table 2, and Table 3

RECOMMENDATION: Approval of Contract #22-05

TWO MOTIONS PROVIDED FOR CONSIDERATION:

MOTION TO APPROVE:

Mr. Chair, I move that the Commission **APPROVE** Contract #22-05, Montana DPHHS and Cascade County for its Board of Health (Collectively BOH) Cooperative Agreement

MOTION TO DISAPPROVE:

Mr. Chair, I move that the Commission **DISAPPROVE** Contract #22-05, Montana DPHHS and Cascade County for its Board of Health (Collectively BOH) Cooperative Agreement

Cooperative Agreement

Between
Montana Department of Public Health and Human Services
And
Board of Health

Identity of Parties and Purpose Statement

This **Cooperative Agreement** (Agreement) is between the **Montana Department of Public Health and Human Services** (DPHHS), and Cascade County the **Board of Health** (collectively BOH).

The purpose of this Agreement is to establish a payment schedule for maximizing the disbursement of funds to the BOH to support inspections of licensed establishments and to determine which optional programs the BOH will conduct.

A failure to sign this agreement may result in the inability of a local health jurisdiction to maximize funding. Each completed inspection will result in a payment equal to the license fee or the portion of that fee designated in the applicable statute.

Period of Performance and Termination of this Cooperative Agreement

This Cooperative Agreement is effective from **January 1, 2022 through December 31, 2022** and cannot be terminated except by written notification from one of the parties with a minimum of 30-day notice. This agreement may not be extended.

Sole Agreement

This is the only Agreement between the parties with respect to payments for inspections for licensed establishments. This Agreement replaces any previous Cooperative Agreement(s) entered into by the parties with respect to payments and responsibilities for inspections of public establishments as defined in this agreement.

Alterations or Amendments

The parties may amend this Cooperative Agreement by mutual agreement. Any amendment is effective only when in writing and signed by both parties.

Responsibilities of the parties:

The BOH agrees:

1. To inspect the following types of licensed establishments within its jurisdiction on an annual or more frequent basis as described below:
 - a) Inspections required to be performed by local health jurisdictions
 - i. Retail Food Establishments

- ii. Wholesale Food Establishments
- iii. Trailer Courts & Campgrounds
- iv. Public Accommodation (see 2a for exceptions)

- b) The BOH agrees to conduct the following activities (please check all that apply):
- i. Pools, Spas and Other Water Feature Inspections – Seasonal establishments must be inspected once per calendar year. Year-round establishments must have one full facility inspection and one critical point inspection conducted per year.

☐ Yes
☒ No

- ii. Body Art Establishment Inspections

☒ Yes
☐ No

- iii. Body Art Establishment Plan Review

☒ Yes
☐ No

- iv. Peer to Peer Inspector Training (see Appendix Band Table 3)

☒ Yes
☐ No

- v. Perform joint wholesale food establishment food processing and product labeling reviews with the department.

☐ Yes
☒ No

- c) If the BOH chooses not to perform inspections and/or plan or process reviews of pools, spas, and other water features, wholesale food establishments, or body art facilities, they will be conducted by the Department or its designee. A designee may include a neighboring county under contract with the Department.
- d) If the BOH opts out of Pool and Body Art inspections, the BOH gives DPHHS the authority to sign Pool, Spa, and Body Art licenses for the county.
- e) If the BOH opts into Peer to Peer Inspector Training, they agree to have Trainers host a trainee, travel to the trainee's county, or a combination of the two, to perform routine inspections of licensed establishments (See Appendix B and Table 3). Only DPHHS-standardized or FDA-standardized inspectors may provide the Peer to Peer inspections of retail food establishments. Opting into this program means that you are only obligated to assist counties as time allows. It does not mean that you are expected to prioritize neighboring county trainings over your own.

2. To inspect public sleeping accommodations within its jurisdiction as follows:

- a) Inspect each hotel, motel, rooming house/boarding house/hostel before initial license validation, upon complaint, and routinely inspect at least once annually;

- b) Inspect each bed & breakfast and tourist/vacation home/condominium before initial license validation and upon complaint;
 - c) Complete follow-up inspections as determined necessary by the sanitarian; and
 - d) Make a reasonable effort to license all operating establishments, including tourist homes.
3. Inspections of licensed establishments must be performed by the local health officer, sanitarian, or sanitarian-in-training;
 4. To enter inspection dates into the Department's database, after inspection or within two weeks after the end of each quarter;
 5. A minimum of one person in the County will obtain access to the Department's licensing database, receive training, and enter the date and name of person performing each inspection;
 6. On a minimum of a quarterly basis, to notify the Department of any status changes to establishment licenses (i.e. out of business; change of ownership);
 7. To provide copies of inspection reports to the Department for auditing purposes, upon request;
 8. To notify the Department when a sanitarian or the BOH takes enforcement action that may impact a license; and
 9. To be eligible for payment from the Local Board Inspection Fund (LBIF), the County must maintain a functioning local board of health as required by Title 50 of the Montana Code Annotated.

The Department agrees:

1. To pay the percentage required by statute of each licensing fee received by the Department into a Local Board Inspection Fund. Fees paid into the fund will be collected from licensees of retail food establishments, wholesale food establishments, public accommodations, trailer courts and campgrounds, and, if applicable, body art establishments (see Table 2), pools, spas, and other water features;
2. To pay the BOH the license fee or fees associated with an establishment from the local board inspection fund, so long as the licensed establishment is inspected or reported as permanently closed and the license fee or fees have been paid by the establishment.
3. If the BOH inspects licensed establishments in program categories covered by this agreement before the end of the licensure year, payment from the Local Board Inspection Fund will be made at the rates according to statute using the payment schedule in Table 1. Payment rules to be applied to the percentages can be found in

Appendix A;

4. To provide copies of plan review correspondence to the county sanitarian;
5. The amount available from the local board inspection fund is solely dependent upon fees paid by licensed establishments within the relevant jurisdiction. The percentage paid to the BOH under the schedule is intended to be a percentage of the actual amount available in that fund based on amounts paid in from licensees. Under no circumstances will the Department be obligated to pay an amount larger than has been paid into the Local Board Inspection Fund. Payment is also dependent on statutory authority available to the State to make payments from the Local Board Inspection Fund;
6. To provide training, education, technical assistance and information to staff of local board of health;
7. To maintain a record of inspections submitted by the staff of the local board of health as required in rule; and
8. To provide analytical support through the Laboratory Services Bureau to the BOH's environmental health program regarding food safety. When necessary, support to environmental health programs may include food and environmental sampling for *Salmonella*, *Listeria*, and Shiga-toxin producing *E.coli*, along with clinical (human) testing for the analytes listed in the public health laboratory manual.

The laboratory maintains and provides sample collection kits and technical support when food or water samples need to be collected and tested for contamination. This includes food sampling kits and drinking water emergency sampling supplies. Examples include assisting with *Listeria* swabbing or collecting and shipping samples of food for *Salmonella* or *E.coli* analysis.

The Laboratory Services Bureau is certified by Region 8 of the EPA and can provide water analysis for pesticides, herbicides, volatile organics, industrial chemicals, nutrients, enteric bacteria, oxygen demand, metals, mercury, as well as lead in paint and dust wipes. The laboratory not only tests drinking water, but also wastewater, groundwater, sediment, solid wastes, and plant and fish tissues.

In an outbreak or emergency where the Department cannot provide laboratory support through the Laboratory Services Bureau, it will work closely with relevant regulatory agencies and their laboratories including the CDC, FDA, and USDA.

Table 1: Payment Schedule- Applies to Retail Food Establishments; Wholesale Food Establishments; Public Accommodations (except Tourist Homes and Bed & Breakfasts *see note) Trailer Courts/Campgrounds; Body Art Establishments; Pools, Spas and Other Water Features (if applicable):

Percent of Licensed Establishments Inspected by the County during the licensure year	LBIF Disbursement by Percentage
90% - 100%	100% (of paid licenses)
< 90%	1 Payment per Paid License per Inspection

* Note: All license fees for Tourist Homes and Bed & Breakfast will paid annually to the county and are not subject to Table 1.

Table 2: License fees reimbursed to counties performing inspections of Body Art Establishments:

License type	License fee	Reimbursement per inspection
Tattooing	\$135	\$121.50 (90%)
Body Piercing	\$135	\$121.50 (90%)
Ear lobe piercing only	\$75	\$67.50 (90%)

Table 3: Peer to Peer Inspector training: Counties will be reimbursed for mileage, meals and lodging for their employees who may be either trainers or trainees and travel outside of their home counties for the purpose of peer to peer training. Counties who host a trainee will also be given an additional \$50 per training inspection. Please note that opting into this portion of the cooperative agreement does not obligate you to provide this service. Peer to peer trainings will only be done when both counties have time (See Appendix B).

Lodging*	State Rate (Approx. \$96/Night)
Meals	Up to \$30.50 Per day
Mileage	\$0.279 Per mile
Additional Inspection Reimbursement	\$50.00 Per Inspection

* Note: Lodging will be reimbursed at the state rate unless preauthorization is granted by DPHHS; every attempt should be made to obtain state rates.

Both parties agree that:

1. The responsibilities of the parties are governed by the Montana Code Annotated and the Administrative Rules of Montana and nothing in this agreement is intended to contradict or supplant relevant provisions of the laws of Montana; and
2. The following process is to be used in the event of a disagreement between the BOH

and the Food & Consumer Safety Section (FCSS) about the terms of this agreement.

- a. If the BOH is unable to resolve their disagreement with FCSS, a written notification from the BOH must be provided to the Communicable Disease Control and Prevention Bureau Chief. The BOH shall provide in writing specific details about the remaining issues that are in dispute. The Bureau Chief shall attempt to resolve the dispute. If unable to resolve the dispute, the reasons for the department's position on the issues in dispute must be presented to the BOH in writing.
- b. If resolution of the disagreement is not obtained, the BOH may request a review and written determination to be made by the Public Health and Safety Division Administrator.
- c. The decision of the Division Administrator may be appealed to the Department Director, whose decision is final.

Liaisons:

These persons serve as the primary contacts between the parties regarding the performance of the task order.

1. Ed Evanson is the liaison for DPHHS (phone: 406-444-5309)
2. Liaison for the BOH: _____
(Print name and title)

For: Montana Department of Public Health and Human Services

Signature: _____
Printed name and title: Todd Harwell, Division Administrator
Date: _____

For: Cascade County

Signature: _____
Printed name and title: _____
Date: _____

Address to mail BOH signed copy: Cascade City-County Health Department
115 4th St. South
Great Falls, MT 59401

Please mail signed Agreement to: Ed Evanson, Supervisor
DPHHS-Food & Consumer Safety Section
P.O. Box 202951
Helena MT 59620-2951

Appendix A:

Payment Rules for Licensed Establishments

The following scenarios describe how credit for an inspection will be applied to the percentage described in Table 1 of this Agreement. Any scenarios not covered by these business rules will be evaluated on a case by case basis.

Scenario	License Fee(s) paid	Inspection(s) completed	Credit(s) toward percentage
1	License fee paid	1 or more inspection(s) completed	1 credit toward percentage
2	License fee paid	0 inspections completed	0 credit toward percentage
3	License fee paid	0 inspection completed due to business closing	1 credit toward percentage
4	0 fees paid	0 inspections completed	0 credit toward percentage
5	2 license fees paid on 1 establishment due to change in ownership	2 inspections performed because of change in ownership	2 credits toward percentage
6	2 license fees paid on 1 establishment due to change in ownership	1 inspection performed	1 credit toward percentage
7	License fee paid for pool or spa operated throughout the year	1 full facility and 1 critical point inspection performed	1 credit toward percentage
8	License fee paid for seasonal pool or spa	1 full facility inspection performed	1 credit toward percentage

Appendix B:

Peer to Peer Inspector Training

One of the tasks of Food and Consumer Safety is to provide or facilitate training to ensure consistent, high quality inspections across the state. Joint inspections with experienced county inspectors are one way to accomplish that. To minimize the impact to county budgets, Food and Consumer Safety will fund peer to peer inspection training up to \$10,000 per year (allocated total for the entire state).

These funds are available on a first-come, first-serve basis for counties with a new inspector, or an inspector needing additional training in a certain type of inspection or inspection components outside of previous training. This may be a Sanitarian in Training (SIT) or is a sanitarian that is moving into inspection types with which they have limited experience.

Training will be provided at the discretion of the counties. If a county opts into this program but time and/or resources change the county is not obligated to host training or send a trainer to a neighboring county.

Minimum requirements for trainers:

1. Currently employed by a county and determined by FCS to be qualified to provide training;

The following applies to food inspections:

- a. Trainers must be standardized in food inspections by the State Standard or FDA Standard.
- b. Minimum Facility Requirements
 1. Risk Level 2, 3, or 4
- c. Inspections by Risk Level (see Annex 5, Table 1 of the 2013 Food Code)
 1. Risk Level 2 - no more than 3 inspections
 2. Risk Level 3 or 4 - up to 12 inspections
 3. If possible, facilities should include
 - a. retail processing,
 - b. HACCP, and
 - c. Molluscan shellfish sales or service
 4. FCS currently does not have plans to approve more than 15 Peer to Peer inspections at a time.

Reimbursement:

1. Trainers may host the trainee and/or travel to the trainee's county to perform inspections.
2. Reimbursement to the county for mileage, meals and lodging for either trainers or trainees who travel outside of their jurisdiction.
3. An additional \$50 per inspection for a county hosting a trainee, due to the additional amount of time required for training.

Projected Reimbursement per training:

Lodging	State Rate (Currently \$96/night)	x5 nights	\$480.00
Meals	\$30.50/day	x5 days	\$152.50
Mileage	\$0.279/mile	x400 miles	<u>\$111.60</u>
		Total travel	\$744.10
Additional inspection reimbursement			
	\$50.00/inspection	x15	<u>\$750.00</u>
Total per sanitarian trained			\$1494.10

All peer to peer training must be pre-approved by FCS. To receive pre-approval, send the section the following information:

- 1) The training inspector
- 2) The trainee
- 3) The establishments to be visited with the risk categories
- 4) The number of days and nights spent training
- 5) The projected lodging cost
- 6) The projected mileage cost

**BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA**

Joe Briggs, Chairman

James L. Larson, Commissioner

Don Ryan, Commissioner

Passed and adopted at Commission Meeting held on this 24th day of August, 2021.

Attest

On this _____ day of _____ 2022, I hereby attest the above-written signatures of Joe Briggs, James L. Larson, and Don Ryan, Cascade County Commissioners.

RINA FONTANA MOORE, CASCADE COUNTY CLERK AND RECORDER

*** APPROVED AS TO FORM:**
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

January 11, 2022

Agenda # 1

Agenda Action Report

Prepared for the

Cascade County Commission

ITEM	Resolution 22-03 to extend the time to file an amended plat to discontinue a portion of a street in accordance with Resolution # 21-31
INITIATED BY	Michael P. Charron
PRESENTED BY	Amber Hobbs, Planner; Planning Department
ACTION REQUESTED	Approval of Resolution # 22-03

BACKGROUND:

On June 8, 2021, the Board of Commissioners conditionally approved Resolution # 21-31, a Petition to discontinue a portion of a street within the subdivision known as Park Place Addition to Great Falls, located in Section 13, Township 20 North, Range 03 East, P.M.M Cascade County, MT, known as a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide, submitted by Michael P. Charron, subject to three (3) conditions as outlined in the Notice of Conditional Approval dated June 14, 2021.

On December 20, 2021, the Planning Department received a letter, via email, requesting an extension for Resolution # 21-31, to allow for additional time to file the final amended plat that is needed to satisfy condition #2 of the approval. Condition 2 states the following:

“The petitioner causes to be filed an Amended Plat delineating the boundaries of the affected property within six (6) months of the date of the resolution to discontinue said portion of road.”

The six (6) month expiration date expired on December 8, 2021. The Petitioner is requesting Condition 2 be extended to the end of May 2022 due to needing additional time to pay the property tax on this parcel. The Petitioner was not aware that the property tax would need to be current to have the County Treasurer sign the final amended plat. Condition 3 has been satisfied and Condition 1 will be satisfied once Condition 2 is complete.

RECOMMENDATION:

The Planning Department recommends that the Commissioners approve Resolution # 22-03 granting the Petitioner’s extension request to allow until May 31, 2022, for the Petitioner to file the amended plat.

TWO MOTIONS PROVIDED FOR CONSIDERATION:

1. Mr. Chair, I move that the Commissioners **APPROVE** Resolution # 22-03 to allow until May 31, 2022, for the Petitioner to file the amended plat in accordance with Resolution # 21-31.

OR

2. Mr. Chair, I move that the Commissioners **DENY** Resolution # 22-03.

Attachments:

Email and Extension Request
Notice of Conditional Approval
Original Agenda Action Report
Original Petition
Resolution # 21-31 (R0411973)

cc: Michael P. Charron

Hobbs, Amber R.

From: Mike Charron <littlestman24@gmail.com>
Sent: Monday, December 20, 2021 3:29 PM
To: Hobbs, Amber R.
Subject: Extension Letter
Attachments: Extension Letter.jpeg

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Amber,

Here is that extension letter to present to the commission. If there is anything you would like me to change please just give me a call. Have a great day.

Thank you,

Mike Charron

Re: Requesting an extension to abandon a section of 10th St South

To Whom It May Concern:

I am requesting for a section of 10th St South between 22nd Ave South and 23rd Ave South from existing alley to 23rd Ave South. The deadline for this to be vacated was on the 8th of December. I talked with the county planning department and let them know that I finally got the easement agreement from the city and was waiting on the surveyor to do the amended plat. When I went in to get the signatures from the County Treasurer, I was informed that before they could sign it my father and I would have to pay our property taxes in full. I was not aware of this when I started this process in June. I am asking for an extension for the end of May if possible, because that is when our lenders pay our property taxes. Currently being around the holidays paying the second half of our property taxes is not the best timing financially. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael P. Charron', with a long horizontal flourish extending to the right.

Michael P. Charron



CASCADE COUNTY PLANNING DEPARTMENT

"Working Together to Provide Efficient and Effective Public Service"

June 14, 2021

Michael P. Charron
2216 10th Street S
Great Falls, MT 59405

Sent via: US Certified Mail & Email

Re: Notice of Conditional Approval

Notice of Conditional Approval

Dear Michael P. Charron,

On June 8, 2021, the Cascade County Commissioners met and conditionally approved the petition to discontinue a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide within the subdivision known as the Park Place Addition to Great Falls, located in Section 13, Township 20N, Range 03E P.M.M Cascade County, MT.

The following was the motion agreed upon by the Commissioners:

Mr. Chair, I move that the Commissioners **APPROVE** Resolution # 21-31, discontinuing a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide. The street described above is a platted right-of-way within the subdivision known as the Park Place Addition to Great Falls, located in Section 13, Township 20N, Range 03E P.M.M Cascade County, MT as described within this Staff Report, and as identified by the incorporated map and subject to the following conditions:

1. The discontinued roads revert to the ownership of the adjacent property owners, with the concurrence of said property owners.
2. The petitioner causes to be filed an Amended Plat delineating the boundaries of the affected property within six (6) months of the date of the resolution to discontinue said portion of road.
3. Petitioner shall execute an easement agreement acceptable to the City of Great Falls for continued legal access and utility maintenance of a 30-inch stormwater pipe located in the existing right-of-way, prior to or contemporaneously with the filing of the Amended Plat as required in Condition 1.

Please feel free to contact the Planning Department if you have any questions about this Notice of Conditional Approval.

Sincerely,

Amber Hobbs, Planner
Cascade County Planning Department
ahobbs@cascadecountymt.gov

121 4th St. N, STE 2H/I, Great Falls, MT 59401

Phone: (406)-454-6905 | Fax: 406-454-6919 | Email: planningcomments@cascadecountymt.gov
<http://www.cascadecountymt.gov/departments/public-works/planning>

June 8, 2021

Agenda # 1

Agenda Action Report *Prepared for the* **Cascade County Commission**

ITEM

Resolution # 21-31:

Conduct a Public Hearing for action on a petition to discontinue a portion of a platted street

INITIATED BY

Michael P. Charron

PRESENTED BY

Amber Hobbs, Planner; Planning Department

ACTION REQUESTED

Approval of Resolution # 21-31

BACKGROUND:

Michael P. Charron has petitioned the Cascade County Commission to discontinue a portion of a street within the subdivision known as Park Place Addition to Great Falls, located in Section 13, Township 20 North, Range 03 East, P.M.M Cascade County, MT, known as a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide. On Friday, May 21, 2021, Commissioner Larson, and Planning Staff visited the portion of the street to be discontinued.

Staff recommends the discontinuance of a portion of 10th Street South, within the subdivision known as Park Place Addition to Great Falls, located in Section 13, Township 20N, Range 03E P.M.M Cascade County, MT. Currently, this portion of 10th Street South is graveled. Based on the application materials, this portion of the street was not used or maintained for years. The Applicant stated that the undeveloped platted street, 23rd Avenue South, that intersects the south portion of 10th Street South, is used as a drainage ditch. The Applicant also stated that he paid to have gravel and crushed asphalt hauled in and compacted because this portion of the road was previously impassible when wet. If this street discontinuation is approved, the Applicant plans on using it as a private driveway.

As required by MCA §§ 7-14-2601 through 7-14-2622, a petition signed by the adjacent property owners has been received and certified by the Cascade County Clerk and Recorder. The discontinuance of the portion of this street does not inhibit access to state lands and does not inhibit legal access to any property. Lot 20A, to the West of the proposed street discontinuance, owned by the Applicant Michael P Charron, and by Kendra M Charron, has legal access from both platted alleyways within Block 5. Currently, Lot 20A is physically accessed by 10th Street South and the Applicant plans to have this as their legal access if this discontinuance is approved. Lots 11 through 19 of Block 4, to the East of the proposed street discontinuance, owned by the Applicant's father, Donald M Charron, has legal access from both platted alleyways within Block 5. His residence on the property is physically accessed off the portion of 10th Street South to be

discontinued. The discontinuance of this street does not inhibit the provision of emergency services to any current residence due to the Applicant planning on keeping it as a graveled private drive. At the time of writing this report, Energy West Montana (EWM) stated that there is a 2-foot main that goes about 15 to 20 feet into the proposed discontinuation area. The Map and comment that was provided by EWM is attached to this report. In accordance with MCA § 7-14-2617, if this street discontinuation is approved, EWM's utility easement will remain unchanged. The Public Works Road & Bridge Division Superintendent has been contacted but as of writing this report no comments/concerns have been received. Legal notice of the public hearing was published in the Great Falls Tribune on May 30, 2021 and June 6, 2021. Legal notice was sent to adjacent property owners, via certified mail on May 27, 2021.

RECOMMENDATION: After reviewing the petition to discontinue said street running North to South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide, the Planning Department recommends that the Commissioners APPROVE Resolution #21-31.

TWO MOTIONS PROVIDED FOR CONSIDERATION

1. MOTION TO DISAPPROVE:

Mr. Chair, I move that the Commissioners **DISAPPROVE** Resolution #21-31, discontinuing a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide. The street described above is a platted right-of-way within the subdivision known as the Park Place Addition to Great Falls, located in Section 13, Township 20N, Range 03E P.M.M Cascade County, MT as described within this Staff Report, and as identified by the incorporated map.

2. MOTION TO APPROVE:

Mr. Chair, I move that the Commissioners **APPROVE** Resolution # 21-31, discontinuing a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide. The street described above is a platted right-of-way within the subdivision known as the Park Place Addition to Great Falls, located in Section 13, Township 20N, Range 03E P.M.M Cascade County, MT as described within this Staff Report, and as identified by the incorporated map and subject to the following conditions:

1. The discontinued roads revert to the ownership of the adjacent property owners, with the concurrence of said property owners.
2. The petitioner causes to be filed an Amended Plat delineating the boundaries of the affected property within six (6) months of the date of the resolution to discontinue said portion of road.

ATTACHMENTS:

1. Resolution # 21-31
2. *Petition*
3. Plats with highlighted alleyway
4. Email and Map from Energy West Montana *EWM notes "RE: Alley Discontinuation: Sexton Park" in their subject line. Based on their comment and their map, they are referring to the Park Place proposed street discontinuation*
5. Notice of Public Hearing



Petition to Discontinue a County Street or Alley in an Unincorporated Town or Townsite

Cascade County Planning Department
121 4th St No, STE 2H/I, Great Falls MT 59401
Phone: 406-454-6905 Fax: 406-454-6919

\$150.00 Non Refundable Application Fee

Payment: Check (#) 1377 Cash

FOR OFFICE USE ONLY

Date Application Received: 05/04/2021

Application No: RA 2021-005

County Commission Hearing Date: _____ Action: _____

Applicant/Owner:

MICHAEL P CHARRON

Mailing Address:

2216 10TH ST S

Home Phone: _____

Work Phone: _____

Cell Phone:

406-781-4564

1. Fill out the attached petition and submit to the Planning Office.

The Petitioners must:

- a. Obtain the signature of all adjacent property owners;
 - b. Name the road and describe the section to be established, altered or abandoned;
 - c. List all property owners affected;
 - d. Determine whether the adjacent owners can be found to consent thereto;
 - e. Present the necessity for and advantage of the petition action;
 - f. Include all necessary maps, plats, surveys, or other documents that will assist the Board in evaluating the petition
2. Within thirty (30) days of receiving the petition, the Board of County Commissioners shall cause an investigation of the petition to begin.
 3. A certificate of survey may be required by a competent surveyor, covering the subject property, prior to the filing of the resolution discontinuing the county street or alley (7-14-2606 M.C.A.). If the certificate of survey is not filed within six (6) months of the date of the resolution, the county will take action to revoke the resolution.
 4. Before acting on the petition, the Board of County Commissioners shall publish a notice of a public hearing in the local newspaper at least one (1) week before the petition is acted upon. (7-1-2121 M.C.A.)
 5. After considering the petition and the results of the investigation, the Board shall make an entry or resolution of its decision and particularly describing the affected road. (7-14-2604 M.C.A.)
 - a. Within ten (10) days of the Board's decision, the Board shall notify by certified mail, all owners of land abutting on the road petitioned of their decision.
 - b. The owners shall be those listed on the last county assessment roll.

Petition to Discontinue a County Street or Alley in an Unincorporated Town or Townsite

Date: 3 May 2021

To The Honorable Board of County Commissioners of Cascade County:

We, The Undersigned, in compliance with Section 7-14-2616 M.C.A. and being residents, do hereby petition the Honorable Board to discontinue the following described Street or Alley:

Name of Street or Alley: 10TH ST S

Description of Cascade County Street or Alley to be abandoned:

10TH ST S BETWEEN 22ND AVE S AND 23RD AVE S
FROM ALLEY TO 23RD AVE S

Petition - Consent Adjacent Property Owners

We, the undersigned property owners, by this petition, do hereby consent to the discontinuation of the above described street or alley:

Name	Address
1. <u>MICHAEL P CHARRON</u>	<u>2216 10TH ST S</u>
Signature: <u>[Signature]</u>	
2. <u>DONALD M CHARRON</u>	<u>2215 - 11TH ST S</u>
Signature: <u>Donald M. Charron</u>	

Name	Address
3. Kendra Channon	2216 10th St. South
Signature: Kendra Channon	
4.	
Signature:	
5.	
Signature:	
6.	
Signature:	
7.	
Signature:	
8.	
Signature:	
9.	
Signature:	
10.	
Signature:	
11.	
Signature:	

Re: Requesting to abandon a section of 10th St South

To Whom It May Concern:

I am requesting for a section of 10th St South between 22nd Ave South and 23rd Ave South from existing alley to 23rd Ave South. This street has not been used or maintained for over 33 years when my father purchased this property. I recently built a house next to my parents and have been using this street for a driveway. I paid to have gravel and crushed asphalt hauled in and compacted because the road was impassible when wet. At the end of 10th street there is a big drainage ditch for a storm drain for the City of Great Falls that eventually goes to the Missouri River making a dead end at the end of my property. Abandoning this street will not affect any landowners North or South of my property. Thank you for your consideration.

Sincerely,



Michael P. Charron

Try Cadastral Beta
Print Button
workarounds



CERTIFICATE OF SURVEYOR:

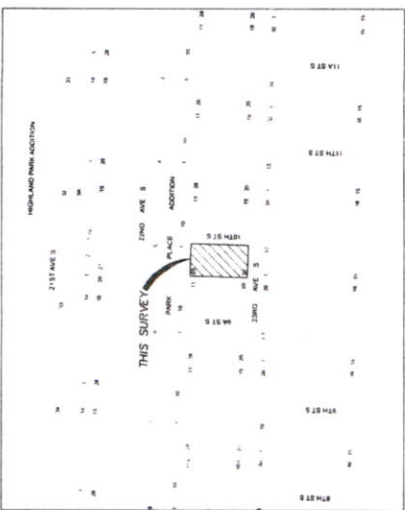
[illegible]

CITY-COUNTY HEALTH DEPT
 Great Falls, Montana
 Temporal from Health Dept Review
 Date 5-15-18
 By Handy J. Hauer

EXAMINED FOR COMPLIANCE WITH
 SUBORDINATE & PLATING ACT
 TREASURER'S STAMP YES X NO
 DATE April 22, 2018
 BY David S. Hauer
 CASCADE COUNTY PLANNING DIVISION

CITY-COUNTY HEALTH DEPT
Great Falls, Montana
1 sample from Health Dept. Received
Date 5-15-18
By J. Hardy

EXAMINED FOR COMPLIANCE WITH
SUBDIVISION & PLATTING ACT
MEASURER'S STAMP YES ☒ NO ☐
DATE April 23, 2018
David Smith
ASCADIE COUNTY PLANNING DIVISION



VICINITY MAP

BASIS OF BEARING

NOTES

P-2018-0000015 PL

SHEET TITLE		AMENDED PLAT - PARK PLACE	
COP. NO.	18W	GRADING NAME	18W-BASE
PLAT NO.		DATE	4/17/18
		CPR	

bsc

(ING) ENGINEERS - PLANNERS - DESIGNERS - LAND SURVEYORS - ENVIRONMENTAL SPECIALISTS
 (408) 727-5556 FAX (408) 727-5556 MAIL www.bjgibbs.com

LEGEND

- CONCRETE CENTERLINE MONUMENT - AS DESCRIBED
- SET 5.0' REPAIR WITH YELLOW PLAIN LAP
- STAMPED "LC"
- GRADE 5" REPAIR WITH ALUMINUM LAP
- STAMPED "LC"
- GRADE 12" REPAIR
- ADDITIONAL NOTE - WITHIN FENCE OR SET

ABBREVIATIONS

- (M) MEASURED
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION
- (C) CALCULATED DIMENSION

RECORD DOCUMENTS

- 1. PAIN PLACE ADDITION TO GREAT FALLS

POINT OF BEGINNING

1. 107th St South

2. 9A St South

3. 22nd Ave South

4. 97th St South

LOT 20A

0.846 ACRES

97th ST SOUTH

22nd AVE SOUTH

9A ST SOUTH

107th ST SOUTH

Bearings and Distances:

- 97th St South: S 89° 31' 53" W 430.00' (R)
- 22nd Ave South: S 89° 31' 53" W 270.00' (P)
- 9A St South: S 89° 31' 53" W 270.00' (P)
- 107th St South: S 89° 31' 53" W 270.00' (P)
- Lot 20A Boundaries:
 - Top: S 89° 31' 53" W 225.00' (PAB)
 - Right: S 89° 31' 53" W 125.13' (P)
 - Bottom: S 89° 31' 53" W 225.00' (PAB)
 - Left: S 89° 31' 53" W 225.00' (P)

CERTIFICATE OF SURVEY:

BEING ALL OF LOTS 20-26, BLOCK 5, OF PARK PLACE ADDITION TO GREAT FALLS IN THE
W/4 & SE1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 3 EAST, PLUM MOORE
COUNTY, MISSOURI, PARTICULARLY DESCRIBED AS FOLLOWS:

OT 20A:

[illegible]

CERTIFICATE OF COUNTY TREASURER:

I, JAMES BAILEY, COUNTY TREASURER OF CASSIA COUNTY, MONTANA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS COVERING THE AREAS INCLUDED ON THE ACCOMPANYING AMENDED PLAT AND FIND THAT ALL REAL PROPERTY TAXES AND SPECIAL ASSESSMENTS LEVIED ON THE LAND BEING AGGREGATED HAVE BEEN PAID.

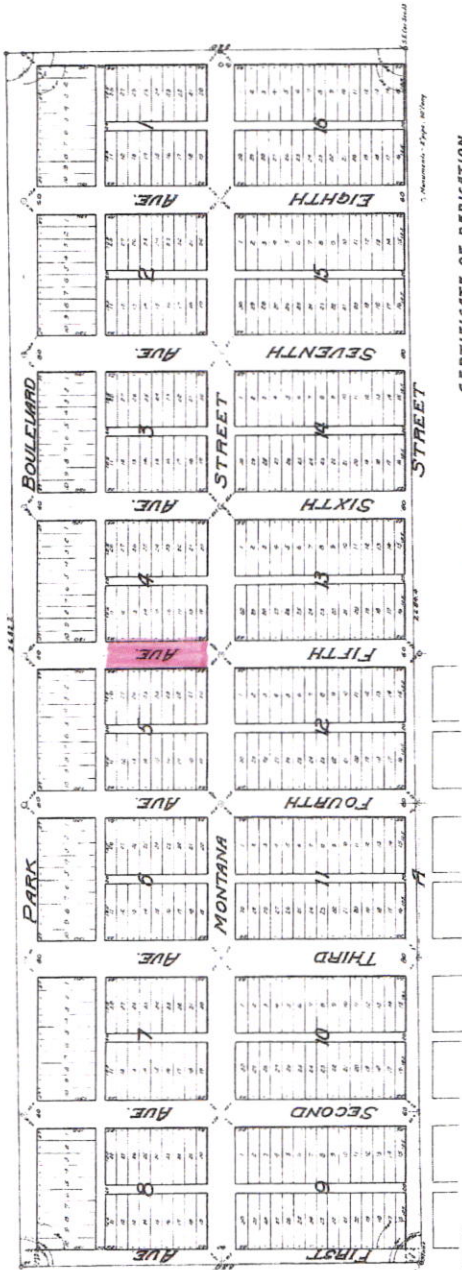
Jamie A. Bailey 5.15.18
JAMIE BAILEY, CASCADE COUNTY TREASURER DATE

Paul Smith
5/5/18

DEPUTY ATTORNEY GENERAL

GREAT FALLS MONTANA

SCALE 1 INCH=80 FEET



STATE OF MONTANA
COUNTY OF CASCADE

I hereby certify that the within instrument was filed for record in this office on the 16th day of May AD 1913.

County Clerk and Recorder
By John C. McCall

STATE OF MONTANA
COUNTY OF CASCADE

This is to certify that at the meeting of the Board of County Commissioners of Cascade County, State of Montana, duly called and assembled, the foregoing plat was presented and read and was by a majority vote of the Board approved and ordered to be recorded in the office of the County Clerk and Recorder for the purpose of being recorded and accepted by said Board.

Dated this 16th day of May AD 1913.
Board of County Commissioners for Cascade County,
State of Montana.

Attest:

County Clerk and Recorder for
Cascade County, State of Montana

Chairman

CERTIFICATE OF DEDICATION

STATE OF MONTANA
COUNTY OF CASCADE
I, John C. McCall, County Clerk and Recorder, do hereby certify that the within instrument was filed for record in this office on the 16th day of May AD 1913.

Dated this 16th day of May AD 1913

STATE OF MONTANA
COUNTY OF CASCADE

I, John C. McCall, County Clerk and Recorder, do hereby certify that the within instrument was filed for record in this office on the 16th day of May AD 1913.

CERTIFICATE OF SURVEY

I, John C. McCall, County Clerk and Recorder, do hereby certify that the within instrument was filed for record in this office on the 16th day of May AD 1913.

STATE OF MONTANA
COUNTY OF CASCADE

I, John C. McCall, County Clerk and Recorder, do hereby certify that the within instrument was filed for record in this office on the 16th day of May AD 1913.

Park Place and
Fig. 45 original

BEFORE THE BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA

RETURN TO COMMISSION
RESOLUTION 21-31

IN THE MATTER TO DISCONTINUE A PORTION OF 10TH STREET SOUTH RUNNING NORTH AND SOUTH BETWEEN LOT 20A OF BLOCK 5 AND LOTS 11 THROUGH 19 OF BLOCK 4, APPROXIMATELY 225 FEET LONG AND 60 FEET WIDE, WITHIN THE PLATTED SUBDIVISION OF PARK PLACE ADDITION TO GREAT FALLS, LOCATED IN SECTION 13, TOWNSHIP 20 NORTH, RANGE 03 EAST, P.M.M., CASCADE COUNTY, MONTANA.

WHEREAS, pursuant to Montana Code Annotated ("MCA") § 7-14-2616(1), the Board of Cascade County Commissioners may discontinue a street or alley or any part of a street or alley in an unincorporated town or town site upon the petition in writing of all owners of lots on the street or alley if it can be done without detriment to the public interest; and

WHEREAS, pursuant to MCA §§ 7-14-2601 through 7-14-2622, a legal petition has been signed and submitted by all owners of lots adjacent to proposed discontinuation; and

WHEREAS, said streets and alley do not provide exclusive access to state or private lands; and

WHEREAS, the discontinuation of said streets and alley shall not affect the right of any public utility to continue to maintain its plant and equipment; and

WHEREAS, upon receipt of said petition, the County did cause to be published a legal notice of a Public Hearing in the Great Falls Tribune pursuant to the statutory requirements of MCA § 7-1-2121; and

WHEREAS, the site has been inspected by at least one (1) County Commissioner prior to final action by the County Commission; and

WHEREAS, the Board of Cascade County Commissioners held a public hearing on June 8, 2021; and

WHEREAS, there were no protests to the proposed discontinuation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Cascade County Commissioners to discontinue a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide, within the platted subdivision of Park Place Addition to Great Falls, located in Section 13, Township 20 North, Range 03 East, P.M.M., Cascade County, MT.

Passed and adopted at the Commission Hearing held on this 8th day of June, 2021.

BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA

Joe Briggs, Chair

James L. Larson, Commissioner

Don Ryan, Commissioner

Attest:

Rina Ft Moore, Clerk and Recorder



* APPROVED AS TO FORM:

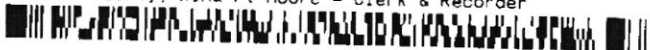
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

R0411973 CRS

Total Pages: 16 R 0 00 By: mejohnson 06/14/2021 03 06 02 PM
Cascade County, Rina Ft Moore - Clerk & Recorder



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA**

RESOLUTION # 22-03

**IN THE MATTER TO EXTEND THE TIME TO FILE AN AMENDED PLAT TO DISCONTINUE A PORTION
OF A STREET IN ACCORDANCE WITH RESOLUTION # 21-31**

WHEREAS, the Board of Cascade County Commissioners held a public hearing on June 8, 2021, and passed Resolution # 21-31 (R0411973) to discontinue a portion of 10th Street South running North and South between Lot 20a of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide, within the platted subdivision of Park Place Addition to Great Falls, located in Section 13, Township 20 North, Range 03 East, P.M.M., Cascade County, Montana; and

WHEREAS, Commissioners imposed conditions of approval, one of which required the Petitioner to file an amended plat delineating the boundaries of the affected property within six (6) months of the date of the resolution to discontinue said portion of road; and

WHEREAS, the six (6) months have passed to file the amended plat; and

WHEREAS, the Petitioner submitted a written request to allow until May 31, 2022 to file the amended plat; and

WHEREAS, notice for this public meeting was published in the Great Falls Tribune on Sunday, January 9, 2022; and

WHEREAS, the Board of Cascade County Commissioners held a public meeting on January 11, 2022 to consider the Petitioner's request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Cascade County Commissioners to allow until May, 31, 2022, for the Petitioner to file the amended plat to discontinue a portion of 10th Street South running North and South between Lot 20A of Block 5 and Lots 11 through 19 of Block 4, approximately 225 feet long and 60 feet wide, within the platted subdivision of Park Place Addition to Great Falls, located in Section 13, Township 20 North, Range 03 East, P.M.M., Cascade County, MT.

Passed and adopted at the Commission meeting held on this 11th day of January 2022.

BOARD OF COUNTY COMMISSIONERS
CASCADE COUNTY, MONTANA

Attest:

Joe Briggs, Chair

Rina Ft Moore, Clerk and Recorder

James L. Larson, Commissioner

Don Ryan, Commissioner

* APPROVED AS TO FORM:
Josh Racki, County Attorney

DEPUTY COUNTY ATTORNEY

* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.

